

CERTIFICATE OF APPRECIATION

This certificate is awarded to

H. FRANK ABLES, JR.

from the citizens of Oconee County, Oconee County Employees and your fellow Council members. We would like to take this opportunity to express to you our appreciation for your eight years of leadership and exemplarily service as the District V County Council Representative.



Oconee County Council Chairman

Signatures

Date

12-16-07

CERTIFICATE OF APPRECIATION

This certificate is awarded to

MARION E. LYLES

from the citizens of Oconee County, Oconee County Employeess and your fellow Council members. We would like to take this opportunity to express to you our appreciation for your eight years of leadership and exemplarily service as the District IV County Council Representative.



Oconee County Council Chairman

Signature

Date

CERTIFICATE OF APPRECIATION

This certificate is awarded to

THOMAS S. CRUMPTON, JR.

from the citizens of Oconee County, Oconee County Employees and your fellow Council members. We would like to take this opportunity to express to you our appreciation for your four years of leadership and exemplarily service as the District II County Council Representative.



Oconee County Council Chairman

Signature

Date

**OCONEE COUNTY, SOUTH CAROLINA
BALANCE SHEET
GOVERNMENTAL FUNDS
JUNE 30, 2008**

ASSETS	<u>General</u>	<u>Unincorporated Fire District</u>	<u>Nonmajor Governmental Funds</u>	<u>Total Governmental Funds</u>
Cash and cash equivalents	\$ 18,097,321	\$ 4,058,214	\$ 12,985,320	\$ 35,140,855
Receivables:				
Taxes - Net	649,847	52,591	44,679	747,117
Intergovernmental	1,448,780	-	697,914	2,644,894
Accrued interest receivable	221,575	-	110,345	331,920
Due from other funds	581,405	-	-	581,405
Due from other governments	221,550	-	-	221,550
Inventories	179,781	-	-	179,781
	<u>\$ 21,400,061</u>	<u>\$ 4,058,763</u>	<u>\$ 13,636,258</u>	<u>\$ 39,095,082</u>
LIABILITIES AND FUND BALANCES				
LIABILITIES				
Accounts payable	\$ 1,610,447	\$ 67,581	\$ 472,617	\$ 2,150,645
Accrued payroll liabilities	4,511,249	-	-	4,511,249
Deferred revenue:				
Property Taxes	484,405	-	155,458	639,863
Intergovernmental	6,402	-	694,715	701,117
Due to other funds	-	-	581,405	581,405
	<u>\$ 11,688</u>	<u>\$ 67,581</u>	<u>\$ 1,302,195</u>	<u>\$ 12,058,464</u>
FUND BALANCES				
Reserved for:				
Debt service	-	-	1,880,690	1,880,690
Capital outlay	-	-	5,968,476	5,968,476
Inventories	179,781	-	-	179,781
Encumbrances	-	171,881	5,261,292	5,433,173
Unreserved:				
Assigned to:				
General fund				
Designated for subsequent year's expenditures	1,265,426	-	-	1,265,426
Designated for health insurance	2,863,841	-	-	2,863,841
Designated for other purposes	641,255	-	-	641,255
Designated for dissolution of solid waste fund	5,511,628	-	-	5,511,628
Undesignated	7,821,759	-	-	7,821,759
Special revenue fund	-	3,816,301	649,151	4,481,452
	<u>\$ 8,785,475</u>	<u>\$ 3,987,382</u>	<u>\$ 7,754,062</u>	<u>\$ 16,527,319</u>
Total fund balances	<u>\$ 8,785,475</u>	<u>\$ 3,987,382</u>	<u>\$ 7,754,062</u>	<u>\$ 16,527,319</u>
Total liabilities and fund balances	<u>\$ 21,400,061</u>	<u>\$ 4,058,763</u>	<u>\$ 13,636,258</u>	<u>\$ 39,095,082</u>

The accompanying notes are an integral part of these financial statements.

OCONEE COUNTY, SOUTH CAROLINA
STATEMENT OF REVENUES, EXPENSES AND
CHANGES IN NET ASSETS
PROPRIETARY FUNDS
For the year ended June 30, 2008

	Solid Waste Commission	Rock Quarry	Total all funds
OPERATING REVENUES			
Outside customer sales	\$ 0	\$ 3,082,349	\$ 3,082,349
Total operating revenues	<u>0</u>	<u>3,082,349</u>	<u>3,082,349</u>
OPERATING EXPENSES			
Salaries and fringe benefits		839,703	839,703
Supplies		394,504	394,504
Electricity and natural gas		63,040	63,040
Petroleum, oil and lubricants		227,825	227,825
Water and sewer		3,060	3,060
Machinery, equipment repairs and maintenance		154,093	154,093
Building and grounds maintenance		4,754	4,754
Professional services		643	643
Miscellaneous		19,346	19,346
Depreciation and depletion		26,151	26,151
Total operating expenses		<u>2,352,919</u>	<u>2,352,919</u>
Income from operations		<u>729,430</u>	<u>729,430</u>
NONOPERATING REVENUES (EXPENSES)			
Interest income		111,247	111,247
Total nonoperating revenues (expenses)		<u>111,247</u>	<u>111,247</u>
Income before operating transfers		<u>840,677</u>	<u>840,677</u>
TRANSFERS OUT		(800,878)	(800,878)
Change in net assets		<u>39,800</u>	<u>39,800</u>
NET ASSETS, JULY 1, AS PREVIOUSLY STATED	5,614,530	5,876,911	11,491,441
CUMULATIVE EFFECT OF ACCOUNTING CHANGE	(7,674,829)	-	(7,674,829)
NET ASSETS, JULY 1, AS RESTATED	-	5,876,911	5,876,911
NET ASSETS, END OF YEAR	\$ -	\$ 5,916,810	\$ 5,916,810

The accompanying notes are an integral part of these financial statements.

OCONEE COUNTY, SOUTH CAROLINA
 STATEMENT OF FIDUCIARY NET ASSETS
 AGENCY FUNDS
 JUNE 30, 2008

ASSETS

Cash and cash equivalents	\$	7,336,137
Accrued interest receivable		25,357
Property taxes receivable		1,512,614
Accounts receivable		<u>5,426</u>
 Total assets	 \$	 <u>8,679,554</u>

LIABILITIES

Accounts payable	\$	12,574
Due to other governments		94,777
Due to other taxing districts and agencies		<u>8,572,203</u>
 Total liabilities	 \$	 <u>8,679,554</u>

The accompanying notes are an integral part of these financial statements.

**OCONEE COUNTY,
SOUTH CAROLINA
STATEMENT OF NET ASSETS
JUNE 30, 2008**

	Primary Government			Component Units	
	Governmental Activities	Business-type Activities	Total	Keowee-Forest District	School District of Oconee County
ASSETS					
Cash and cash equivalents	\$ 25,153,877	\$ 2,520,000	\$ 27,673,877	\$ 473,567	\$ 1,425,279
Investments	-	-	-	-	25,453,254
Receivables					
Taxes - due	491,878	-	491,878	17,791	116,137
Accounts	-	14,437	14,437	-	953,939
Intra-governmental	(2,054,094)	-	(2,054,094)	-	162,912,249
Accounts receivable	251,920	18,254	270,174	-	-
Due from other governments	221,229	-	221,229	-	798,871
Inventories	78,787	499,478	578,265	-	24,450
Prepaid expenses	-	-	-	-	122,122
Capital assets					
Land	5,727,412	27,874	5,755,286	-	2,252,234
Buildings and improvements	21,742,075	562,338	22,304,413	1,768,164	147,966,492
Equipment and vehicles	28,291,382	1,644,118	29,935,500	382,758	8,116,263
Other capital assets	45,675	32,912	78,587	-	-
Construction in progress	5,240,001	-	5,240,001	-	4,071,887
Infrastructure assets	156,938,827	-	156,938,827	-	1,857,591
Less accumulated depreciation and depletion	(69,811,179)	(1,359,082)	(71,170,261)	(141,322)	(21,998,925)
Total capital assets, net of depreciation	117,142,013	2,361,838	119,503,851	1,626,842	127,771,262
Total assets	153,096,856	6,012,582	159,109,438	7,935,168	145,775,224
LIABILITIES					
Accounts payable	177,445	8,714	186,159	-	1,220,620
Accrued payroll liabilities	767,246	31,578	798,824	1,285	1,247,776
Deferred revenue	771,117	-	771,117	-	305,579
Accrued interest payable	139,843	-	139,843	11,346	190,125
Other liabilities	-	-	-	-	74,313
Long-term liabilities					
Due within one year	2,132,554	2804	2,134,858	67,424	7,470,254
Due in more than one year	(1,759,323)	(6,124)	(1,765,447)	(1,722,908)	(4,267,833)
Total liabilities	18,321,835	41,872	18,363,707	1,792,867	25,966,519
NET ASSETS					
Invested in capital assets					
Land and buildings	66,100,121	2,961,742	69,061,863	242,822	69,831,798
Restricted for					
Debt service	1,783,091	-	1,783,091	-	2,127,044
Capital assets	9,785,010	-	9,785,010	-	504,125
Unrestricted	39,614,112	1,010,066	40,624,178	1,875,736	15,811,248
Total resources	\$ 117,192,334	\$ 4,972,808	\$ 122,165,142	\$ 4,994,384	\$ 94,774,415

The accompanying notes are an integral part of these financial statements.

Ordinance 2008-19 – Road Ordinance:

Page 18 – Replace with:

- (F) In the event that a developer/subdivider is required to upgrade a County road in the Primary Development Area, in accordance with Article 5, Section 2 of this Ordinance, the County and the developer/subdivider shall enter into a reimbursement agreement. The reimbursement agreement shall allow the developer/subdivider to receive reimbursement for the total cost of upgrading the road to the minimum County road standard. The cost of upgrading a County road may include the cost of right-of-way acquisition and the moving of existing utilities. The cost of upgrading the road shall not include the upgrade of utilities within the road right-of-way. The source for reimbursement shall be from rollback taxes, if any, and the incremental tax increase of property resulting from New Development accessed by the upgraded road. The reimbursement agreement shall include not more than ten (10%) percent of any rollback taxes on the property to be developed and such percentage of said incremental tax increase sufficient to allow the developer/subdivider to receive reimbursement for his/her/its total cost in upgrading the road over a period of time not to exceed ten (10) years from the date that the County approves the final plat and the plat is recorded. Any reimbursement agreement shall only include the County portion of any rollback tax or incremental tax increase.

Page 24 – Replace with:

The Board shall make the initial determination concerning the variance request and may consider any and all evidence it deems relevant concerning the variance issue. The paramount issue for all variance requests shall be the reasonable safety of the road under the proposed circumstances. If the Board concludes that a safe road can be constructed without strict application of the regulations set forth in this Ordinance or other County Ordinances and policies, the Board may then consider issues such as the cost of right of way acquisition, placement of utilities, and unusual circumstances in determining whether to grant a variance. The Board should use reasonable discretion in its decision making.

**State of South Carolina
County of Oconee County
ORDINANCE 2008-19**

"AN ORDINANCE TO CREATE UNIFIED ROAD STANDARDS ORDINANCE FOR THE UNINCORPORATED AREAS OF OCONEE COUNTY AND REPEALING CERTAIN ORDINANCES AND RESOLUTIONS"

WHEREAS, Oconee County has in the past adopted standards regulating various aspects of construction and maintenance activities on public roads; and

WHEREAS, County Council must from time to time review and amend said standards to account for changes resulting from growth and development, as well as to better manage anticipated changes and avoid imposing negative impacts on the citizens of Oconee County; and

WHEREAS, it has become necessary to establish standards for certain private roadways to assist developers in providing safe roads; and

WHEREAS, the County Engineer and his/her designee possess the technical expertise to insure compliance with all standards related to road design and construction, both public and private; and

WHEREAS, standards related to road construction may be found in a number of Oconee County ordinances, potentially confusing those individuals needing to determine specific requirements for roads in Oconee County; and

WHEREAS, County Council desires to publish applicable regulations in a logical and consistent format to enable the public to easily access and understand all standards applicable to their needs;

NOW, THEREFORE, be it ordained by the Oconee County Council that the "Road Standards Ordinance" setting forth the following standards is hereby established. The following Ordinances and Resolutions are hereby repealed:

Ordinance 1975-03	An Ordinance to Regulate Use of County Roads and Prohibit their Destruction and/or Obstruction
Ordinance 1982-14	An Ordinance Establishing the Acceptance of Roads in Subdivisions and Repealing Ordinance 1982-6
Ordinance 1983-03	Acceptance of Certain Roads in Subdivisions
Ordinance 1991-09	An Ordinance Establishing Criteria for Accepting Roads Other than Subdivision Roads for County Maintenance And Repeal Ordinance 1982-7
Ordinance 2002-05	Portions that deal with Roads only

Ordinance 2003-02	An Ordinance Amending Ordinance 1982-14, An Ordinance Establishing the Acceptance of Roadways in Subdivisions
Ordinance 2006-11	Regulating the Use of County Roads
Ordinance 2006-20	Portions that deal with Roads only
Resolution 2001-18	A Resolution Establishing the Scoring Criteria Pertaining To Paving Existing County Roadways
Resolution 2007-09	A Resolution Authorizing the County Administrator to Accept Right of Ways on behalf of Oconee County
Resolution 2008-11	Criteria for Road Improvement Projects in Oconee County

Article 1. General Provisions

These General Provisions shall apply to both Private Roads and Drives and Public Roads. The Definitions section of the Land Development and Subdivision Chapter of the Oconee County Unified Performance Standards Ordinance (Ordinance 2008-20) shall apply to this ordinance.

1. Survey Standards

Route surveys and plats shall be prepared and survey data entered thereon in accordance with the most recently adopted version of the "Minimum Standards Manual of the Practice of Surveying in South Carolina" established by the SC Board of Registration for Professional Engineers and Land Surveyors, provided that all elevations information shall refer to Mean Sea Level Datum or other established datum (with a minimum of two benchmarks). Accuracy of plats and attendant data shall be no less than that required in said manual for Class B Suburban Land Surveys.

2. Utilities

When utilizing a road right-of-way, all utility lines shall be buried at a depth of at least thirty six (36) inches. Such lines shall be located a minimum of two feet outside the portion of the road to be surfaced to prevent having to cut into the paved surface or reconstruct drainage structures to serve abutting properties. In order to prevent future road cuts, utility stub-outs shall be added to all utility lines extending beyond the roadway to each property line.

3. Road Signs

Road name signs shall be installed at all intersections within a subdivision. All other signs shall be installed as required by and at the direction of the County Engineer or his/her designee. All signage will be in accordance with the Manual of Uniform Traffic Control Devices. The developer shall be responsible for all cost of road signage for private drives, private roads, and proposed county roads (at a cost determined by resolution of County Council from time to time) prior to acceptance of road by Oconee

County. Any person who shall willfully or maliciously damage, deface, remove or otherwise tamper with a sign erected by a subdivider or the county designating the name of any county road shall be guilty of a misdemeanor and punished in accordance with this Ordinance. In addition thereto, such person shall be liable to the county for the cost incurred by the county as a result of said criminal acts.

4. Submission of Road Plans

Construction plans for roads shall include accurate topographic information with increments of no more than five (5) feet. In addition, all such plans should note the following items: the location and dimensions of all drainage features; routes of surface water drainage for the entire development; a typical cross section of the proposed roadway; road profiles; horizontal and vertical curve designs; right-of-way dimensions; the location of all cuts and fills, finished grade elevation; all necessary erosion control practices, which may include but are not limited to, permanent vegetation, lined or piped ditches or vegetated waterways; and contact information of all interested parties.

5. Road Alignment and Location

The direction and pattern of roads shall take advantage of the land contour to eliminate or reduce excessive cutting and filling, and provide roads with reasonable grades.

Article 2. Private Road Standards and Regulations

1. Private Driveways

Private driveways shall serve no more than three (3) residential dwellings, and shall be maintained by the property owner(s). No design standards shall apply to private driveways, but driveways must comply with applicable Building and Fire Codes.

2. Private Drives

All private drives existing and in use at the time of adoption of these regulations, as well as those private drives under construction prior to the time of adoption, shall be exempted from the standards contained in this section. This exemption shall also extend to those private drives approved by the Planning Department prior to the time of adoption. All other private drives shall:

- (A) serve no more than ten (10) lots or dwellings;
- (B) have a minimum road right-of-way of fifty (50) feet, or an appropriately executed private roadway easement as defined by these regulations;
- (C) have an appropriate encroachment permit from either *Dee* County or the South Carolina Department of Transportation;

- (D) have a minimum driving surface width of twenty (20) feet constructed of no less than five (5) inches of compacted crushed stone or gravel base; a minimum height clearance of thirteen and one-half (13½) feet; and appropriate documentation from a professional engineer licensed by the State of South Carolina certifying the maximum weight limit of any bridge or culvert located along the drive. All bridges and any culvert over which a private drive crosses a perennial stream must include appropriate signage (located at each end of the bridge) displaying the structure's weight limits;
- (E) be maintained by an individual, association of property owners, or commonly held by the property owners fronting the private drive;
- (F) comply with all current fire regulations and codes;
- (G) shall serve no more than ten (10) dwellings, and shall connect to another road, either public or private, on one end only. In the event proposed construction and/or development will result in an existing private drive serving eleven (11) or more dwellings, the existing drive shall be upgraded so as to meet the standards put forth in these regulations for private roads;
- (H) parcel boundaries may extend to centerline of the road, with the appropriate road right-of-way shown on all plats and deeds;
- (I) be named in accordance with adopted E-911 Addressing regulations and procedures;
- (J) allow at least one hundred (100) feet of sight distance for each ten (10) miles per hour of the posted speed limit where the private drive intersects a public road. The sight distance shall be measured from a seeing height of three and one-half (3½) feet, offset fifteen (15) feet from edge of road, to an object four and one quarter (4¼) feet in height above the grade of the public road, as stated in SCDOT's 1996 Access and Roadside Management Manual. If the proposed drive does not meet the sight distance requirement, a waiver must be signed by the individual(s) constructing the private drive stating that the property owner(s) is liable and responsible for any accidents, injuries, problems, and property damage resulting from improper sight distance;
- (K) meet all applicable storm water management and sediment control regulations;
- (L) be approved in writing by Planning Commission or designated staff prior to submission of plat(s) to the Register of Deeds for recording. The following shall be prominently printed on the plat(s):

"THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAT SHALL BE PRIVATE DRIVES NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY, AND WERE NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAYS SHOWN UPON THE PLAT SHALL NOT BE ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE UNLESS CONSTRUCTED IN ACCORDANCE WITH ALL ADOPTED OCONEE COUNTY REGULATIONS. MAINTENANCE OF THE RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF
- (M) Signage shall comply with the Manual for Uniform Traffic Control Devices.

3. Private Roads

Private roads shall provide vehicular access and road frontage to developments, or sections of developments, containing more than ten (10) dwellings. All private, non-dedicated roads shall be prominently indicated as such on plats prior to subdivision approval. Maintenance arrangements for such roads must be noted in writing on subdivision plat submittals and must be subsequently recorded. The development served by a private road shall have direct access into a public road, and no such private road shall be laid out so as to serve property outside the development. All private roads shall:

- (A) serve a minimum of eleven (11) lots;
- (B) have a minimum road right-of-way width of fifty (50) feet;
- (C) be constructed in accordance with the regulations set forth in Article 3.6 of these regulations;
- (D) be maintained by an association of property owners or the developer and be designated on all plats and recorded in appropriate deed covenants and restrictions, or an appropriately executed private roadway easement as defined by these regulations;
- (E) parcel boundaries may extend to the centerline of the road, with the appropriate right-of-way designated on all plats and deeds;
- (F) be legally certified for compliance by a surveyor/engineer licensed by the State of South Carolina;
- (G) be named in accordance with adopted E-911 Addressing regulations;
- (H) meet all storm water management and sediment control regulations;
- (I) be properly approved in writing by Planning Director prior to submission of plat(s) to the Register of Deeds for recording. The following shall be prominently printed on the plat(s):

"THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAT SHALL BE PRIVATE ROADS, NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY AND NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAY SHOWN UPON THE PLAT SHALL NOT BE ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE UNLESS CONSTRUCTED IN ACCORDANCE WITH ALL OCONEE COUNTY REGULATIONS. MAINTENANCE OF THE RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE

- (J) have installed signs that control the traffic flow in a safe manner as specified by standards in the Manual for Uniform Traffic Control Devices.

With the exception of the requirements put forth in this section, all private roads shall meet the requirements for all Public Roads as defined by this ordinance.

Article 3. PUBLIC ROADS

1. Continuation of Adjoining Road System

The proposed road layout shall extend existing roads on a logical course at a width which meets the minimum required by this ordinance. A minimum hundred to one (100:1) taper section shall be used to transition from one width to another.

2. Road System Coordination

The road system within a subdivision shall be coordinated with existing, proposed, and anticipated roads (hereinafter "surrounding roads") outside the subdivision, as determined by Oconee County or the State of South Carolina. Subdivision roads shall intersect with surrounding roads at safe and convenient locations and where necessary to permit the efficient movement of traffic between residential neighborhoods by emergency service vehicles. Subdivision roads shall only enter arterial roads when absolutely necessary. Whenever connections to surrounding roads are required by this section, the road right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the permit-issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. All temporary dead-end streets must be approved by the Planning Director and the County Engineer.

3. Road Names

A proposed road which is obviously in alignment with or an extension of an existing named road shall bear the name of the existing road. Except for the above, in no case shall the name of a proposed road duplicate or be phonetically similar to an existing road name, irrespective of the use of suffix (road, avenue, boulevard, drive, place, court, lane, etc.). It shall be unlawful for any person in laying out any new road to name such road on any final plat or instrument, without first obtaining the approval of the Oconee E-911 Addressing Office.

4. Residential Buffers for Collector or Arterial Roads

Where a subdivision abuts or contains an existing or proposed collector or arterial road, lots which abut or are adjacent to these existing or proposed collector or arterial roads shall face a local road. Other treatment may also be required, as necessary, for adequate protection of the landscape and residential properties and for separation of through and local traffic. Special treatment may be required, such as screen planting contained in a non-access reservation along the rear property line adjacent to the arterial road.

5. Road Design (Geometric Criteria)

In general, geometric criteria for road design shall be in accordance with standards of the South Carolina Department of Transportation (SCDOT). Said standards are those contained in the latest edition of "A Policy on Geometric Design of Highways and Streets" by the American Association of State Highway and Transportation Officials. Local and collector residential roads (public) shall be designed in accordance with the following standards.

(A) Minimum right-of-way, pavement, and shoulder width shall be as follows:

<u>Road Type</u>	<u>Right-of-Way</u>	<u>Pavement</u>	<u>Shoulder</u>
Arterial [†]	66' or greater	28'	10'
Collector	50'	24'	8'
Major local	50'	22'	6'
Minor local	50'	20'	4'

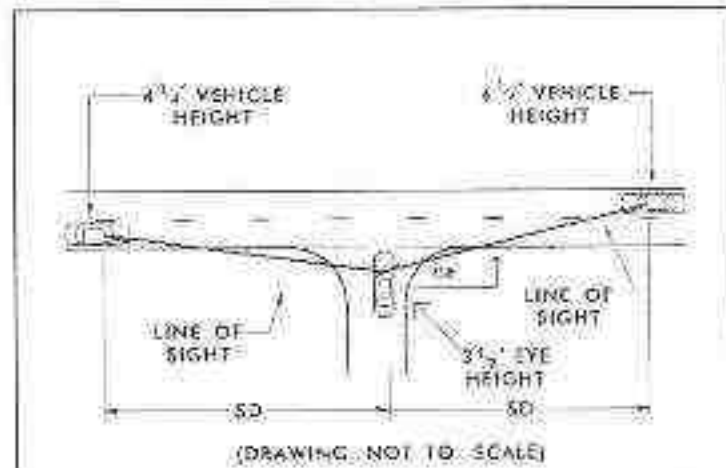
[†] As determined by County Engineer

For high density residential or nonresidential subdivisions or portions thereof, additional right-of-way or pavement width shall be provided when determined as necessary by the Planning Commission or County Engineer.

- (B) Cul-de-sacs shall comply with current fire regulations and codes. Dead-end streets without turnarounds are prohibited. All unpaved islands located within perimeters of a cul-de-sac shall be round in configuration, centered within the right-of-way, curbed and properly drained. The area utilized by any unpaved island shall not be considered part of the minimum area needed to meet the required dimensions for the cul-de-sac or right-of-way and shall be governed by the same standards for planted median islands, as set forth in this ordinance.
- (C) Horizontal curvature shall be introduced at any change in road direction, and the minimum centerline radius shall be one hundred fifty (150) feet for local roads and two hundred fifty (250) feet for collector roads. Arterial road curvature shall be in accordance with State Highway Department standards. Minimum tangent between reverse curves shall be one hundred fifty (150) feet for local roads, and one hundred (100) feet from curve to any intersecting road right of way.
- (D) Stopping distance on vertical curves, horizontal curves, or normal intersections shall allow at least one hundred (100) feet of sight distance for each ten (10) miles per hour of the posted speed limit where the road intersects another public road.

The sight distance shall be measured from a seeing height of three and one-half (3½) feet, offset fifteen (15) feet from edge of road, to an object four and one-quarter (4¼) feet in height above the grade of the public road, as stated in SCDOT's 1996 Access and Roadside Management manual. See drawing

SIGHT DISTANCE REQUIREMENTS
(DISTANCES GIVEN ARE FOR FLAT GRADES)



DESIGN VEHICLE ENTERING ARTERIAL	SIGHT DISTANCE (SD) PER 10 MPH OF ARTERIAL SPEED FOR ARTERIAL WIDTH OF:		
	2 LANES	4 LANES	6 LANES
	FEET	FEET	FEET
PASSENGER CAR	100	130	130
SCHOOL BUS	130	150	170

Minimum sight distance at intersections shall provide a clear sight triangle. The right-of-way shall be clear of obstacles to enable the minimum sight distance required, as determined by the speed limit of the road being accessed increases. The necessary right-of-way in either direction shall be entered upon the final plat prior to recording. Modifications may be required by the County Engineer in order to insure safety.

- (E) Roads shall be designed to intersect as nearly as possible at right angles. In no case shall the angle of intersection be less than seventy five (75) degrees. Minimum radius of curb or pavement edge at intersections shall be at least twenty (20) feet at intersections with local roads and twenty five (25) feet at intersections with collector roads.
- (F) Road grades shall be no less than 0.5 percent and no greater than 12 percent. The following shall apply:

<u>Road Classification</u>	<u>Maximum Grade</u>
Arterial Roads	4 percent
Collector Roads	6 percent
Local	12 percent

- (G) Proposed intersections on one side of a road shall coincide with existing or proposed intersections on the opposite side. Minimum centerline offset for intersections on the opposite side of a road shall be one hundred fifty (150) feet. No two roads may intersect on the same side of a road at a centerline separation distance of less than four hundred (400) feet.
- (H) Intersections shall be designed with a flat grade whenever practical. When approaching an intersection in hilly or rolling areas, a leveling area shall be provided having not greater than a five percent (5%) grade at a distance of thirty (30) feet measured from the nearest right-of-way line of the intersecting street.
- (I) If the developer proposes a planted median island, the road right-of-way shall be divided in half for each half of the road (25 feet each side) with each lane centered in the right-of-way. A perpetual maintenance plan shall be submitted to the County prior to construction of said planted median island. Oconee County shall not be responsible for maintaining any median vegetation. Vegetation within the right-of-way may be removed by the County if it presents a safety or visual hazard. All planted medians shall be drained and maintained by methods submitted by the developer and approved by the County Engineer.
- (J) All driveway locations must be approved by the County Engineer.

6. Road Construction

In general, all public roads shall be constructed in accordance with the SCDOT "Standard Specifications for Highway Construction" (latest edition) as it related to earthwork, bases/subbases, paved surfaces, etc. The following requirements shall also apply:

- (A) Paved road surfaces are required for all new roads. The County Engineer may waive the strict application of aggregate requirements for hot mixed asphalt pavement with materials prepared with stone from the Oconee County Rock Quarry.
- (B) The minimum base course for all roads shall consist of type #1 (550 lbs. per square yard) crushed gravel aggregates compacted on the roadway to a depth of not less than five (5) inches. Compaction of the aggregate shall comply with the standards set forth in this ordinance.
- (C) Local Roads – When hot asphaltic mix will be applied, specifications for set up are same as for the surface treatment. Asphalt shall be applied at no less than two (2) inch compacted of type as specified by the County Engineer.
- (D) Collector Roads – Road base shall include five hundred fifty (550) lbs. of stone per square yard (approx. 5) with two (2) inch surface course of asphaltic concrete.
- (E) Industrial/Commercial Roads – Road base shall include six hundred fifty (650) lbs. of stone per square yard (approx. 6) with two (2) inch surface course of asphaltic concrete.
- (F) Road paving is required for all new nonresidential subdivisions falling under the jurisdiction of this ordinance. Pavement design requirements for a non-residential subdivision shall be in accordance with sound engineering principles as outlined in procedures adopted by the American Association of State Highway and Transportation Officials; or the Portland Cement Institute; or the National Asphalt Institute. All designs shall be subject to review and approval of the County

Engineer and the Oconee County Planning Commission. However, in no case shall the paving standard be less than the standard required for a new residential subdivision.

- (G) The entire right-of-way area shall be cleared of all stumps, roots, brush, and other objectionable materials prior to grading roads. All tree stumps and other vegetation shall be removed to a depth of two (2) feet below the sub-grade. Rock, when encountered, shall be scarified to a minimum depth of three (3) inches below sub-grade. The entire right-of-way shall be graded.
- (H) All debris and other material deemed unsuitable by the County Engineer shall be removed before any dirt or soil is placed in fills for the sub-grade. Unsuitable materials include any organic matter, unstable soil, trash, large stones, or other items that prevent the soil from being properly compacted.
- (I) All fill lifts shall be formed by placing and spreading the material in successive, uniform, horizontal layers of not more than six (6) inches in depth for the full width of the cross section and shall be kept level by the use of approved equipment. Prior to each subsequent layer the compacted layer shall be scarified before placing fill. The County Engineer or his designated representative may call for compaction tests at the completion of any of the six (6) inch lifts being made. Each level will be compacted to a ninety five percent (95%) proctor.
- (J) Suitable material shall be placed in the embankment for the formation, compaction, and shaping of all embankments, sub-grades, shoulders, slopes, intersections, approaches and private entrances to conform to the typical cross section shown on the approved road construction plan.
- (K) When an embankment is to be on a hillside or against an existing embankment sloping more than twenty (20) degrees from the horizontal, the slope of the hillside or existing embankment shall be plowed deeply or cut into steps before filling is commenced. All embankments shall be formed by placing and spreading the material in successive, uniform, horizontal layers of not more than six (6) inches in depth for the full width of the cross section and shall be kept level by the use of approved equipment. Embankments over and around pipes, culverts, arches, bridges, or other structures shall be constructed of materials approved by the County Engineer.
- (L) All pipe culverts shall consist of the following materials:
 - (1) Reinforced concrete conforming to the requirements of American Association of State Highway Officials (AASHTO) M170 Class 3 pipe.
 - (2) High Density Polyethylene (HDPE) corrugated with a smooth interior pipe conforming to the requirements of American Association of State Highway Officials (AASHTO) M294M, Type S pipe.

All pipe culverts shall be of sufficient size to adequately insure proper drainage. Calculations by a professional engineer licensed by the State of South Carolina must be submitted and approved by the County Engineer. Rip-rap shall be securely installed over an approved silt barrier to the height of the high water mark around the end of all pipe culverts.

- (M) In the event that the Engineer, after consultation with appropriate authorities, deems the crossing of a watercourse to necessitate a bridge, such bridge shall conform to current SCDOT specifications for steel reinforced concrete bridges of at least twenty-four (24) feet in width. Such bridges shall be at an elevation as to be approved by the County Engineer.
- (N) All drainage inlets and outlets not accessible from the road right-of-way must include a permanent easement allowing Oconee County access to the adjacent property needed to perform necessary maintenance work. Oconee County will not be responsible for any damage off of the right-of-way due to high water or flash flood conditions.
- (O) Property owners adjoining the road right-of-way may request that the County perform work to assist the property owner with a drainage problem. The County may at its discretion construct berms, swales and/or ditches, or install HDPE or concrete pipe within the County maintained road right-of-way. The property owner shall pay two and one-half (2½) times the material costs to cover the material cost and labor for said project. The property owner shall sign a hold harmless agreement releasing the County from any liability associated with future drainage problems, in advance of scheduling the project. Projects will be scheduled on a first pay, first scheduled basis.

In the event the County decides to assist the property owner with the drainage problem, the County Engineer, or his designee will provide a non-biding cost estimate for the material costs of the project first. Special services or equipment needed to complete the job will be billed as invoiced by the contractor or vendor providing the special service or equipment.

- (P) Property owners adjoining the road right-of-way may request that Oconee County perform work within the right-of-way to install driveway aprons and/or culverts within the County maintained right-of-way. The property owner shall pay two and one-half (2½) times the material costs to cover the material cost and labor for said project. The property owner shall sign a hold harmless agreement releasing the County from any liability associated with said work, in advance of scheduling the project. Projects will be scheduled on a first pay, first scheduled basis.

The County Engineer, or his designee, will provide a non-binding, cost estimate for the material cost of the project. Special services or equipment needed to complete the job will be billed as invoiced by the contractor or vendor providing the special service or equipment.

7. Compaction and testing

Compaction of sub-grade and base courses shall conform to the applicable sections of the latest published edition of the South Carolina Highway Department Standard Specifications for Highway Construction. Nuclear compaction test may be conducted on all sub-bases as directed by the County Engineer. A loaded (minimum of 60,000 lbs. gross weight) tandem roll test of the sub-base shall be performed. Any of the compaction

tests may be directed by the County Engineer or his designated representative during an intermediate six (6) inch lift. A loaded (minimum of 60,000 lbs. gross weight) tandem roll test will also be performed upon setup of the base material prior to paving the road. Any substandard materials will be replaced and retested as directed by the County Engineer or his designated representative. Upon completion of a road, all fills shall be protected by either seeding or rip-rap. All fills of two and a half to one (2½:1) or steeper shall be protected by rip-rap. Shoulders and other disturbed soil along the entire cleared area of the right-of-way shall be seeded in such a manner as to ensure uniform sod.

8. Inspections

A developer/owner shall notify the County Engineer at least forty-eight (48) hours prior to any requested inspection. Work done prior to inspection is done so at the Contractor's and Owner's own risk and may, upon decision of the County Engineer or designee, be required to be removed and redone or have the quality substantiated by any tests deemed necessary all at the Contractor's and/or Owner's sole expense. Inspections shall be required for the following:

- (A) At the completion of clearing and grubbing operations;
- (B) At the completion of rough grading;
- (C) At the completion of all utility construction along road right-of-way (including but not limited to water, sewer, electrical)
- (D) At the completion of sub-grade;
- (E) After installation and compaction of base course;
- (F) During all pavement applications; and
- (G) Final acceptance inspection.

The Contractor/Owner's engineer shall be present for the following inspections:

- (1) Rough grading inspections;
- (2) Sub-grade;
- (3) Base course inspections; and
- (4) Final acceptance inspection.
- (5)

9. Financial Responsibility for Maintenance

Following acceptance for maintenance by Oconee County of any road, the developer/owner shall be financially responsible for all maintenance necessary due to deficiencies resulting from initial construction for a period of three (3) years. The developer/owner shall post a bond or a letter of credit for the estimated cost of maintaining the road for three (3) years from the date of acceptance. The County Engineer shall determine the amount of the bond or letter of credit. The bond or letter of credit shall be maintained by the Oconee County Finance Department. The bond or letter of credit shall expire after three (3) years from the date of acceptance of the road, or in the case of a subdivision road, after a build out of seventy percent (70%) of the

subdivision, whichever occurs first. In order to facilitate the acceptance process, once a road had been substantially completed the developer/owner may request a written punch list from the County Engineer. The punch list will note the items that must be completed prior to acceptance of the road by Oconee County.

10. Contracts

Notwithstanding any other provision of this section, the owner/developer may utilize an independent contractor to perform road work. In such case, the owner/developer shall be fully responsible for work performed by the contractor on said roads.

11. Financial Liability

The owner/developer shall be responsible for all costs in the design and construction of a road until said road is accepted as a County road by the County.

12. Road Swales and Channels

All roadway ditches and channels shall be designed to contain, at minimum, a peak flow from a twenty five (25) year frequency storm. All roadway ditches and channels shall be designed so that the velocity of flow expected from a twenty five (25) year frequency storm shall not exceed the permissible velocities for the type of lining used. Rip-rap shall be placed for stops in road drainage swales as instructed by the County Engineer. Swales shall be stabilized against erosion by grassing with a mixture of Rye and Bermuda grass, or the appropriate grass for the season. Road swales shall be installed at a maximum depth of three (3) feet and be designed to enable mowing by adjoining property owners.

13. Road Maintenance Signs

Where subdivision roads are not to be dedicated to the State or County for public maintenance the subdivider shall install signs that control traffic flow in a safe manner as specified the Manual of Uniform Traffic Control Devices. Also, at the beginning of the private subdivision roads there shall be signs which state "Private Road." The subdivider may assume the responsibility to install signs provided the County Engineer approves in writing the signage.

14. Roadside Drainage

Roads may be constructed with drainage swales shoulders at a twelve to one (12:1) slope. Where road grade exceeds ten percent (10%), curb and gutter, paved drainage swales, or rip rap swales shall be provided. Curb and gutter may be roll type or standard 90 degrees curb.

15. Temperature and weather restriction on asphalt paving work

- (A) No hot mix asphalt surfacing work shall be performed on wet surface, or when the temperature is below 45 degrees Fahrenheit in the shade and falling, or when weather conditions are otherwise unfavorable. Unless approved in writing by the County Engineer, no surface treatment of a road planned by the owner/developer for acceptance into the County Road System shall be begun before March 15 of each year. Unless approved in writing by the County Engineer, surface treatment of a road planned by the owner/developer for acceptance into the County Road System shall be completed prior to October 15.
- (B) The mixture shall be delivered to the spreader at a temperature between 225 degrees Fahrenheit and 325 degrees Fahrenheit and, except for sand asphalt mixture for base course construction, within 30 degrees Fahrenheit of the temperature at the plant.

16. Drainage Structures

- (A) Crossline pipes shall be designed to carry runoff from a 25 year- 24 hour design storm and shall be RCP Class III concrete. The design shall be determined using runoff data sources and standard methods approved by the County Engineer. In no event shall a pipe less than eighteen (18) inches in diameter be accepted by the County. Crossline pipes or structures along Waters of the State shall be designed to pass a 100-year, 24-hour design storm.
- (B) Concrete culverts must conform to South Carolina Highway Department requirements. HDPE double wall corrugated with a smooth interior pipe conforming to the requirements of American Association of State Highway Officials (AASHTO) M294M, Type S pipe or an approved equivalent shall be accepted where sufficient fill over the pipe is provided. No corrugated metal pipes shall be accepted. No culvert shall be less than fifteen (15) inches in diameter.
- (C) Unless approved by the County Engineer prior to construction, all pipes shall be laid in a trench. All trenches shall be excavated so as to allow for safe and proper installation. All backfill work shall comply with standards specified by the pipe manufacturer; however, in no case shall backfill covering a culvert be less than ten (10) inches deep (pavement and/or base thickness shall not be considered part of this required minimum depth). All fill shall be compacted to 95% of standard proctor test in the top foot of fill.
- (D) The jointing of sections of culvert shall be done in a workmanlike manner in accordance with the standard practice recommended by the manufacturer of the culvert being used.
- (E) The ends of all pipe culverts shall be properly protected to prevent piping, erosion and scour. Placement of filter fabric and rip-rap shall be considered minimum treatment. End treatments shall be approved by the County Engineer and shown on the plans.
- (F) All crossline drainage culverts shall be located in natural drainage areas or depressions, and shall terminate in a dedicated drainage easement no less than twenty (20) feet wide.

- (G) Junction boxes of an approved type will be constructed at all points where the line of pipe changes course or direction ten (10) degrees or more and at proper intervals along the line of pipe.
- (H) A means of access to inlet and outlet points of drainage structures and appurtenances must be provided and shown on the plans. Oconee County shall not be held liable for flood damage outside recorded drainage easements.
- (I) Exits for surface water in sideline ditches shall comply with the standards put forth in the following Table:

Table – SURFACE WATER EXIT INTERVALS

<u>ROAD GRADE</u>	<u>MAXIMUM EXIT INTERVAL</u>
0-2%	800 FEET
2.1-4%	700 FEET
4.1-6%	600 FEET
6.1-8%	500 FEET
8.1-10%	400 FEET
10.1-12%	300 FEET
MORE THAN 12%	200 FEET

- (J) Exit intervals for surface water along curb & gutter roads, also known as catch basin spacing, shall be designed to limit the spread to seven feet (7) from the face of curb. The 2-year design storm shall be the basis for determining the Stormwater runoff. In no case shall the spacing exceed eight hundred feet (800). Special attention should be used designing exits at cul-de-sacs, to prevent overtopping the curb and catch basin.

17. Sidewalks shall not be located within the road right-of-way.

Article 4. COMMERCIAL AND INDUSTRIAL ROADS AND STREETS

In addition to residential road requirements set forth, the following standards shall apply to commercial and industrial roads.

1. Right-of-ways and road widths

The following right-of-way and road widths are established:

- (A) Right-of-Way: Minimum width is sixty six (66) feet.
- (B) Roadway Width: Width is twenty four (24) feet with twelve (12) foot lanes plus two (2) foot valley gutters or six (6) inch high curbing and two (2) foot concrete valley on each side.

2. Grades

- (A) The minimum grade shall not be less than one percent (1%) and the maximum shall not be more than seven percent (7%).
- (B) All proposed street grades, when intersecting an existing street or highway, shall be constructed so as to meet the same horizontal grade at the existing intersection and shall have an elevation for a distance of thirty (30) feet equal to the curb line grade of the existing street to which the proposed connection is being made. All proposed street connections to existing streets or highways having existing sidewalks crossing their intersection alignment shall be constructed by removal of the sidewalk to the new proposed curb radii.

3. Horizontal (circular) curves

Where a deflection angle of more than five (5) degrees in the alignment of the street occurs, the right-of-way shall be curved. The minimum horizontal radius of curvature at the centerline of the proposed street right-of-way shall not be less than two hundred fifty (250) feet.

4. Vertical (crest-sag) curves

Changes in vertical grade shall be connected by vertical curves of minimum length equal to twenty five (25) times the sum of both approaching grades stated in percent of grade. Example: a 5% slope upward meeting a 4% slope downward requires a curve length of $9 \times 25 = 225$ feet.

5. Intersecting roads and road offsets

- (A) Intersecting roads – Industrial/commercial roads shall be laid out so as to intersect as nearly as possible at right angles and no road shall intersect any other road at an angle less than eighty (80) degrees.
- (B) Road Offsets – Where there is an offset in the alignment of a road across an intersection, the offset of the centerline shall be not less than two hundred (200) feet.

6. Cul-de-sacs

The circular right-of-way radius shall be sixty six (66) feet and paved turning circle with the same center point and a radius of fifty (50) feet is required.

7. Temperature and weather restrictions on asphalt paving work

- (A) No hot mix surfacing work shall be performed on wet surface, or when the temperature is below 45 degrees Fahrenheit in the shade and falling, or when weather conditions are otherwise unfavorable. Unless approved in writing by the County Engineer, no surface treatment of a road planned by the owner/developer for acceptance into the County Road System shall be begun before March 15 of each year. Unless approved in writing the County Engineer, no hot mix surface treatment of a road planned by the owner/developer for acceptance into the County Road System shall be done after October 15.
- (B) The mixture shall be delivered to the spreader at a temperature between 225 degrees Fahrenheit and 325 degrees Fahrenheit and, except for sand asphalt mixture for base course construction, within 30 degrees Fahrenheit of the temperature at the plant.

Article 5. ROAD UPGRADES

1. Upgrade of Existing County Roads

- (A) Roads owned and/or maintained by Oconee County shall be listed on a Road Maintenance Plan maintained by the County Road Department. Any road not meeting the current standards for public roads as adopted by Oconee County shall be identified. Those roads that do not meet the current County standards and are in the Primary Development Areas identified on the Oconee County Future Land Use Map shall be placed on the Priority Upgrade List. A rating system shall be used to prioritize the roads on the Priority Upgrade List, with those roads receiving the highest score having the highest Priority. Until the Oconee County Future Land Use Map is amended in 2009, Primary Development Areas shall include those areas identified in the Comprehensive Plan defined as Residential Areas and Transitional Growth Areas.
- (B) Roads on the Priority Upgrade List shall be upgraded in such a manner as to account for the current and projected traffic levels. These projections shall be based upon the best information available and anticipate changes occurring over the next 25 year period.
- (C) The following rating factors shall be used in determining the Priority Upgrade List: (1) Condition and Width of driving surface; (2) Existing hazards; (3) Right-of Way acquisition; and (4) Current and projected traffic levels.
- (D) County roads (whether paved or gravel) that are located outside the Primary Development Areas as identified in the Oconee County Future Land Use Map may be placed on the Priority Upgrade List based on the recommendation of the County Engineer and the agreement of the Council's Transportation Committee.

- (E) The County Engineer shall review all roads within the County road system on an annual basis and make recommendations to the Oconee County Planning Commission regarding changes to the Priority Upgrade List. The Planning Commission shall review the Priority Upgrade List on an annual basis and make recommendations to County Council for changes to the List. The County Engineer shall estimate a projected completion date for all roads on the Priority Upgrade List. The County Engineer shall update the projected completion date on an annual basis. The County Engineer shall consider available funding sources in making these completion projections.
- (F) In the event that a developer/subdivider is required to upgrade a County road, in the Primary Development Area, in accordance with Article 5, Section 2 of this Ordinance, the County and the developer/subdivider may enter into a reimbursement agreement. The reimbursement agreement may allow the developer/subdivider to receive reimbursement for the cost of upgrading the road to the minimum County road standard. The cost of upgrading a County road may include the cost of right-of-way acquisition and the moving of existing utilities. The cost of upgrading the road may not include upgrade of utilities within the road right-of-way. A reimbursement agreement shall be limited to ten (10%) percent of any rollback taxes on the property to be developed and ten (10%) percent of the incremental tax increase as a result of development along said upgraded road for a period of time not to exceed ten (10) years from the date that the County accepts the upgraded road. Any reimbursement agreement shall only affect the County portion of any rollback tax or incremental tax increase.
- (G) A developer/subdivider who is planning a development that will impact a County road in such a way that the road classification will change, and said road is already scheduled to be upgraded by the County within the next five years, according to the Priority Upgrade List, may be assigned a higher priority on the Priority Upgrade List by agreeing to allocate 10% of the proposed development for affordable housing or provide the same amount of affordable housing in another location in Oconee County. Affordable housing provided in this section shall be of the same type of construction (ex. stick built, modular, etc.) as the new development.

2. Impact on Existing Roads System

In order for Oconee County to approve a subdivision site plan, a subdivision plat or a building permit for a subdivision project, the county road or network of county roads that serve said proposed development must be adequate to accommodate any increase in traffic resulting from said proposed development. For all developments consisting of more than ten (10) dwelling units, the developer/subdivider shall submit a traffic impact/road capacity study demonstrating the impact of traffic upon any County road servicing the subdivision, either directly or indirectly. The extent of the study shall be determined by the County Engineer on a case by case basis. The traffic impact/road capacity study shall be reviewed by the Oconee County Planning Director and the County

Engineer. In the event that the County Planning Director and the County Engineer determine that the subdivision will increase the average daily traffic (ADT) on a County road to the extent that said road will need to be upgraded to safely accommodate the increase in traffic, improvements to the road must be made in accordance with the Road Classification set forth in the Definitions section of the Land Development and Subdivision Regulations Ordinance (Ordinance 2008-20). The developer/sub-divider shall be responsible for all costs (including right-of-way acquisition) necessary to upgrade the road.

3. Criteria for Road Improvement Projects

- (A) A minimum of 50 feet of right-of-way is required for the entire road.
- (B) Utilities must not be located, to the extent practicable, beneath the road surface (excluding sanitary sewer).
- (C) A minimum of 50 feet radius of right-of-way is required for the purpose of constructing an appropriate turn-around for improvements projects along terminating roads.
- (D) Road improvement projects to match existing county standards, to the extent practicable.

The above criteria shall apply to paved and unpaved road improvement projects. From time to time, Council may need to waive the above requirements on a case-by-case basis.

4. Scoring Gravel Roads

A Trip Generation Prediction will be calculated with data collection and other methods outlined by the Institute of Transportation Engineers.

ADT (Modeled or Measured Average Daily Trips) will be combined with Safety Parameters as follows:

Slope or grade	X	20 points
Intersection	X	20 points
Width	X	20 points
No Cul de sac	X	20 points
Alignment	X	20 points

ADT and Safety parameters will be the primary factors in scoring gravel roads.

For example, if traffic counts were measured to be 480 ADT, and the slope exceeded 12%, it was 20', and had no cul-de-sac the score would equal $480 + 60 = 540$.

Article 6. ACCEPTANCE OF ROADS INTO COUNTY ROAD SYSTEM

The following provisions shall apply to the construction of any road intended for future acceptance into the County Road System:

- (A) No road shall be accepted by Oconee County for maintenance and incorporated within the Oconee County Road System unless the same be shown and delineated upon a plat of survey duly recorded in the office of the Oconee County Register of Deeds.
- (B) A construction plan with sufficient detail, including a cross section of the proposed road, shall be submitted to the County Engineer prior to commencement of construction. No construction shall commence unless the plan has been approved by the County Engineer.
- (C) A deed granting a right-of-way as specified in this ordinance shall be tendered to Oconee County by the property owner/developer before a road shall be accepted into the County Road System. Upon acceptance of such deed or right-of-way by the county, the owner/developer shall be notified in writing of the fact of such acceptance, and the same writing shall constitute an agreement on the part of the County to maintain and incorporate the said road into its system. The Oconee County Administrator shall accept or deny the proffered deed or right-of-way for the County upon receipt of certification by the County Engineer that said road has been constructed in accordance with the regulations set forth in this Ordinance.
- (D) Prior to acceptance by Oconee County for maintenance and incorporation within the Oconee County Road System, all roads shall meet all road construction standards set forth in this Ordinance.
- (E) No road shall be accepted into the Oconee County Road System until the surface is treated in a manner and using such materials as approved by the Oconee County Engineer. The County Engineer shall furnish specification requirements upon request. The County Engineer shall be notified by the developer/owner prior to the commencement of any construction, and shall be given periodic progress reports and periodic inspection reports as specified by the County Engineer. Such progress and inspection reports are to include notification of the ending and planned commencement of construction intervals or phases. The County Engineer shall certify in writing to County Council that the road to be accepted into the Oconee County Road System has been constructed in accordance with the regulations set forth in this Ordinance. A copy of the certification shall be sent to the County Administrator.

- (F) The County may accept a road as a County Road through the creation of a special tax district, a legislatively created administration division of the county whereby resident freeholders fund, through the collection of uniform fees included on the annual property tax bill, upgrades to existing private roads in order for such roads to meet the standards of and for the purpose of acceptance into the county road system.
- (G) No expenditures of any public funds shall be made on any road or right-of-way, which has not been accepted as a County road.
- (H) The roadway must connect to at least one federal, state, county, or municipal roadway.
- (I) The County Administrator is hereby authorized to accept roads and rights-of-way on behalf of county.

Article 7. REGULATING THE USE OF COUNTY ROADS

1. Damages

- (A) Any person, entity or utility that engages in an activity which causes damage to a county road or road structure shall be responsible for repairing said county road or road structure to SCDOT standard specifications for highway construction. This does not include normal wear and tear to a road caused by normal use of said road.
- (B) Any person driving, operating or moving any vehicle, object or contrivance upon any county road or road structure shall be liable for any damage which road or structure may sustain as a result of dragging, scraping, breaking or any other damage done to said road or structure. Any such persons will also be liable to the county for the cost of such injury or damage.
- (C) Any person making unauthorized modifications to a county road or road structure shall be responsible for the costs of returning the road or structure to its original condition.

2. Drainage

- (A) Property owners adjoining the road right-of-way may request that the county perform work to assist the property owner with a drainage problem. The county may construct berms, swales and/or ditches, or install plastic or concrete pipe along the county maintained road right-of-way. The property owner shall pay 2.5 times the material costs to cover the material cost and labor for said project. The property owner shall sign a hold harmless agreement releasing the county from any liability associated with future

drainage problems, in advance of scheduling the project. Projects will be scheduled on a first pay, first scheduled basis.

- (B) The county engineer, or his designee, will provide a cost estimate for the material costs of the project. Special services or equipment needed to complete the job will be billed as invoiced by the contractor or vendor providing the special service or equipment.
- (C) The county cannot assist in any drainage matter outside of the road right-of-way, and may only perform work within the county right-of-way.

3. Encroachment

- (A) All persons desiring to excavate within, encroach upon, or in any way alter a county maintained road and/or right-of-way, shall notify the county engineer and submit to the county road department an application for an encroachment permit, together with the required fees and security as determined periodically by county council, at least 48 prior to initiating such work. A schedule of required fees and securities shall be available for review from the county road department.
- (B) Upon completing the permitted activity, the applicant shall restore the county-maintained road and/or right-of-way to its original condition, insuring that all repairs conform to the requirements contained in the SCDOT standard specifications for highway construction. Eighteen months after the permitted activity, the security shall be returned to the applicant provided the county engineer, upon final inspection, approves the repair. If the county engineer deems the repair to be unacceptable, the security shall be retained by the county and used to properly repair and restore the road and/or right-of-way to its original condition. Once the road and/or right-of-way has been properly repaired, any excess security will be returned to the applicant.

4. Road Safety

- (A) All persons shall park vehicles and equipment at least three feet from the edge of the pavement on all roads. Parked vehicles and equipment shall not block ditches and swales or in any way inhibit drainage.
- (B) No person shall place any type of material within three feet of the pavement.
- (C) No person shall place a sign on a road in the county that will restrict visibility or inhibit sight lines of drivers.

- (D) Signs on roads in the county, remaining for more than seven days, will require an encroachment permit from the road department.

5. Penalties

Failure to comply with any of the requirements of this article constitutes a misdemeanor and shall be punishable by a fine not to exceed \$1,000.00 dollars. In addition, in the event that the county must file a civil suit in order to enforce its rights under this article, the county shall be entitled to reasonable attorney's fees.

Article 8. VARIANCE FROM ROAD STANDARDS

Any variance from these road standards shall be consistent with the intent of this Ordinance, and shall be approved in writing by the Board of Zoning Appeals. Any person or entity requesting a variance from road standards shall submit a written request for a variance to the Planning Director of Oconee County. A variance can only be granted for actions to take place in the future. No variance may be granted for past actions.

Prior to scheduling a Variance Hearing before the Board of Zoning Appeals, the person or entity requesting said variance shall work with the Oconee County Planning Department and the Oconee County Road Department in an effort to eliminate or minimize the need for a variance. After reasonable efforts and no other solution can be reached, a hearing shall be scheduled before the Board of Zoning Appeals. The County staff shall submit written reports to the Board of Zoning Appeals setting forth the County regulation in question, the efforts made to remedy the situation, and a recommendation setting forth the County's position regarding the variance. These written reports shall be submitted to the person or entity requesting the variance at least five (5) days before the Variance Hearing.

Notice of the Variance Hearing shall be provided by First Class Mail to the person or entity requesting the variance at least fifteen (15) days prior to the Hearing. Notice of the Hearing shall also be published in a newspaper of general circulation in Oconee County at least fifteen (15) days before the Hearing.

Any party may be represented by counsel. Any person or entity that would be directly impacted by the granting or denial of the variance may participate as a party in the hearing, provided notice of intent is submitted in writing to Planning Department at least seven (7) days prior to the Hearing. The Planning Department shall immediately notify all other parties of the new party's participation. The County may support or oppose the variance request or be neutral.

The Board shall make the initial determination concerning the variance request and may consider any and all evidence it deems relevant concerning the variance issue. The paramount issue for all variance requests shall be the reasonable safety of the road under the proposed circumstances. If the Board concludes that a safe road can be constructed

without strict application of the regulations set forth in this Ordinance, the Board may then consider issues such as the cost of right of way acquisition, placement of utilities, and unusual circumstances in determining whether to grant a variance. The Board should use reasonable discretion in its decision making.

A person or entity whose request for a variance has been denied by the Board may appeal the Board's decision to the Transportation Committee of the Oconee County Council.

Article 9. LEGAL PROVISIONS

These regulations expressed in this ordinance shall be considered as the minimum provisions for the protection of the health, safety, economy, good order, appearance, convenience, and welfare of the general public.

Section 16.1 Conflict with Other Laws, Ordinances, or Regulations

Whenever the requirements made under authority of these regulations impose higher standards than are required in any statute or local ordinance or regulation, provisions of these regulations shall govern. Whenever the provisions of any other statute or local ordinance or regulation impose higher standards than are required by these regulations, the provisions of such statute or local ordinance or regulations shall apply.

Section 16.2 Severability

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the ordinance as a whole, or any other part thereof, other than the part so declared to be unconstitutional or invalid.

OCONEE COUNTY, SOUTH CAROLINA

ATTEST:

George Blanchard
Chairman, Oconee County Council

Elizabeth G. Hulse
Clerk to County Council

First Reading: November 6, 2008 [in title only]
Second Reading: November 18, 2008
Public Hearing: December 2, 2008
Third Reading: December 16, 2008

State of South Carolina
County of Oconee County
ORDINANCE 2008-20

"AN ORDINANCE TO AMEND THE LAND DEVELOPMENT AND SUBDIVISION REGULATIONS CHAPTER OF THE OCONEE COUNTY UNIFIED PERFORMANCE STANDARDS ORDINANCE [CHAPTER 6], REPEALING ORDINANCE 2002-05 [Passed May 7, 2002], ORDINANCE 2006-07 [Passed May 1, 2006], AND ORDINANCE 2006-20 [Passed August 15, 2006]."

WHEREAS, Oconee County adopted the Unified Performance Standards Ordinance, Ordinance 99-14, to establish various standards on various land uses within the unincorporated areas of the county; and

WHEREAS, County Council must from time to time review and amend said standards to account for changes resulting from growth and development, as well as to better manage anticipated changes and avoid imposing negative impacts on the citizens of Oconee County; and

WHEREAS, the Land Development and Subdivision Chapter of the Unified Performance Standards Ordinance contains regulations governing road design as well as subdivision standards; and

WHEREAS, other Oconee County ordinances govern various aspects of road design in addition to the Land Development and Subdivision Chapter of the Unified Performance Standards Ordinance, potentially confusing those individuals needing to determine specific requirements for roads in Oconee County; and

WHEREAS, County Council desires to publish adopted regulations in a logical, consistent format, enabling the public to easily access and understand all standards applicable to their needs;

NOW, THEREFORE, be it ordained by the Oconee County Council that Chapter 6 of the Unified Performance Standards Ordinance (#02-05, #06-07 & #06-20) shall be amended so as to repeal the existing wording in its entirety, and replaced by the following:

ARTICLE 1: General Provisions

Section 1.1 Short Title

This ordinance shall be known and cited as the "Oconee County Land Development and Subdivision Regulations Ordinance."

Section 1.2 Authority

These land development and subdivision regulations are adopted under authority granted by Title VI, Chapter 29 (6-29-1120) et. seq., of the Code of Laws of South Carolina, 1976.

Section 1.3 Jurisdiction

These regulations shall apply to the development and subdivision of land within the unincorporated areas of Oconee County as now or hereafter established and any incorporated municipality which contracts with the Oconee County for these regulations to be administered within such municipality. Regulations contained within this ordinance that apply to the construction and maintenance of roads shall apply to all roads and drainage structures, whether public or private, constructed within any unincorporated area of Oconee County and municipalities contracted with the Oconee County for administration of these regulations. Regulations contained within this Ordinance that apply to the construction and maintenance of roads, appurtenances or drainage structures shall apply to all public and private roads, drives and driveways in the unincorporated areas of Oconee County; also included shall be all municipalities contracted with the Oconee County to administer these regulations. These regulations shall not apply to those roads completed, under construction, or approved (accepted) by Oconee County prior to adoption of this Ordinance by County Council. In the event that a regulation in this ordinance conflicts with any other county regulation, the more stringent standard shall apply.

Section 1.4 Purpose

The purpose of this ordinance is to protect and promote the public health, safety and general welfare of the citizens of Oconee County, South Carolina, providing for the harmonious, progressive, and orderly development of land. These regulations are established for the following specific purposes, among others, as provided for in the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (Section 6-29-1120 of the Code of Laws of South Carolina, 1976, et seq.):

- (1) to encourage the development of an economically sound and stable county;
- (2) to assure the timely provision of required streets, utilities, and other facilities and services to new land developments;

- (3) to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
- (4) to assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, transportation, and other public purposes; and
- (5) to assure, in general, the wise and timely development of new areas, and redevelopment of previously developed areas in harmony with the County's Comprehensive plan.

ARTICLE 2 DEFINITIONS

When used in the Ordinance, the following words and terms shall have the meaning indicated. Words and terms not herein defined shall have their customary dictionary definitions. The term "shall" is mandatory. When not inconsistent with the context, words used in the singular number include the plural and those used in the plural number include the singular.

- (1) Affordable Housing- a housing unit for which the total annual cost of a sale (including mortgage, amortization, taxes, insurance, and condominium and association fees) constitutes no more than 28% of the annual household income for a household earning no more than 80% of the area's median income, by household size, as reported by US Housing and Urban Development (HUD); or for a rental housing unit, the total annual cost for rent and utilities can constitute no more than 30% of the annual household income for a household earning no more than 80% of the area median income, by household size, as reported by HUD.
- (2) Apartment Complex - A building or portion thereof, other than a hotel, divided into more than two dwelling units which are arranged in such a manner as to be used for lodging by separate households.
- (3) Applicant - The developer or agent of the developer who applies for a subdivision review and is designated as the primary contact for said subdivision.
- (4) Average Daily Traffic - The number of trips made by vehicles that will be utilizing a road, intersection or other reference point in a twenty four (24) hour period.
- (5) Block - A parcel of land entirely surrounded by roads or highways, railroad right of ways, waterway, or combination thereof.
- (6) Building Footprint - The area included within surrounding exterior walls, or exterior walls and fire walls, exclusive of courts.
- (7) Building Line - A line beyond which no part of the structure of any building shall project, with the exception of subsurface projection of footings, measured perpendicular to the property line. This includes, but is not limited to, the building, eaves, porches, decks, chimneys, bay windows, and fire escapes.

- (8) Building Permit – A document or certificate issued by Oconee County authorizing construction, enlargement, alteration, moving of, or demolition of a building or structure, or the placement of a mobile home (manufactured housing).
- (9) Cleared or Grubbed Areas – The area within the road right-of-way that is cleared of vegetation.
- (10) Comprehensive Plan - Any legally adopted part or element of the Comprehensive Plan of Oconee County, South Carolina. This plan may include, but is not limited to the Community Facilities, Population, Economic Development, Land Use, Natural Resources, and Housing elements.
- (11) Condominium Complex – A building or group of buildings containing dwelling units which are individually owned. The structure, common areas, and other facilities are owned by the developer and/or the owners of the individual units on a proportional or individual basis.
- (12) Crosswalk – An area with a width of ten (10) or more feet dedicated for public use, and intended for pedestrian access to adjacent land area.
- (13) Cul-de-sac – A local road (minor) with one end open to traffic and the other end terminated with a planned vehicular turnaround.
- (14) Density – The number of dwelling units or lots per acre of land developed or used for residential purposes.
- (A) Low Density – 2 or less dwelling units per acre
 - (B) Medium Density – From 2.1 to 6.0 dwelling units per acre
 - (C) High Density – Over 6 dwelling units per acre
- Note: High density lots with less than 150 ft. frontage will necessitate special access considerations by the county.
- (15) Developer – An individual, partnership or corporation (or agent therefore) that undertakes the activities covered by these regulations.
- (16) Development - Any man-made change to improved or unimproved real estate including, but not limited to: new homes, building structures, dredging, filling, grading, paving, or excavation operations.
- (17) DHEC – The South Carolina Department of Health and Environmental Control.
- (18) Dwelling – A building or portion of a building arranged and/or designed to provide living quarters for one or more families where each dwelling is provided with separate kitchen and bathroom facilities.
- (A) Single Family Dwelling – A detached dwelling designed for or occupied exclusively by one family on a single lot.
 - (B) Duplex – A building arranged or designed to be occupied by two (2) families living independently of each other on a single lot.
 - (C) Group Dwelling – A group of two or more principal structures built on a single lot, parcel or tract of land and designed for occupancy by separate families.
 - (D) Multiple Family Dwelling – A building or series of buildings on the same parent parcel used or designed as a dwelling place for three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided.

- (19) Dwelling Unit – One or more rooms connected together and constituting a separate, independent housekeeping establishment, with provisions for cooking, eating and sleeping, and physically set apart from any other rooms or dwelling units in the same structure.
- (20) Easement – A grant of one or more specific property rights by the property owner permitting a specific use or uses to the public, a corporation, or another person or entity.
- (21) Easement, Private Roadway – an easement that grants access for all utility and roadway construction and maintenance.
- (22) Flood – A temporary overflowing of water onto land that is usually devoid of surface water.
- (23) Flood Plain – Land areas adjoining a river, stream or water course which are subject to a one percent or greater chance of flooding in any given year. These areas are specifically established by the Federal Emergency Management Agency, according to the Flood Insurance Study for Oconee County.
- (24) Full Pond Level – Full pond level is 660 feet above mean sea level on Lake Hartwell, 800 feet above mean sea level on Lake Keowee, and 1110 feet above mean sea level on Lake Jocassee.
- (25) Half Road – A road located so that a cross-section of its width lies on more than one parcel.
- (26) Lake – A considerable inland body of standing water.
- (27) Land Development – The changing of land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, mobile home parks, and similar developments for sale, lease, or any combination of owner and rental characteristics.
- (28) Lot – A single parcel or tract of contiguous land intended as a unit for transfer of ownership, or for building development, or both.
Lot Area – The total gross area of the lot including easements:
- (A) Corner Lot – A lot with frontage on at least two intersecting roads located at the point of intersection.
 - (B) Lot Depth – The mean horizontal distance between the front and rear lot lines.
 - (C) Double Frontage Lot – A parcel having frontage on two (2) or more roads which is not located at any intersection of such roads.
 - (D) Lot Width – The horizontal distance between the side lot lines at the building setback line measured parallel with the front lot line or in the case of a curvilinear road measured parallel to the chord of the arc between the intersection of the side lot lines and the road right-of-way line;
- (29) Minor Subdivision – A minor subdivision is any subdivision of a parcel that is reviewed by the county that:
- (A) Results in a total of no more than ten (10) lots, and
 - (B) May or may not involve the construction of a private drive, private road, or public road.

- (30) Mobile Home (Manufactured Housing Unit) – A detached, single family dwelling designed for long-term occupancy, designed to be transported on its own axle and wheels, arriving at the site in sections or a complete dwelling unit, usually including major appliances and furniture, and ready for occupancy. Removal of wheels and placement of a foundation does not change the mobile home classification. A travel trailer is not a mobile home.
- (31) Multi-family Housing – A building or buildings designed to be occupied by two or more households living independently of each other, with the number of households in residence not exceeding the number of dwelling units provided.
- (32) Natural Vegetative Buffer – Plants, trees, and vegetation that normally survive in Oconee County without the need of fertilizers, herbicides, or pesticides.
- (33) Oconee County Road – Any paved road, gravel road, dirt road or bridge that is owned and/or regularly maintained by Oconee County and considered part of the County road system.
- (34) Open Space Site – A tract of land provided in residential subdivisions to meet the local recreational needs and desires of residents. Such tracts may include play areas, parks, natural woods, open fields and meadows and areas of scenic beauty.
- (35) Owner's Engineer – An engineer registered and in good standing with the S.C. Board of Registration for Professional Engineers and Land Surveyors who is the agent of the owner of the land proposed to be subdivided, or which is in the process of being subdivided.
- (36) Owner's Land Surveyor – A land surveyor registered and in good standing with the S.C. Board of Registration for Professional Engineers and Land Surveyors who is the agent of the owner of the land proposed to be subdivided, or which is in the process of being subdivided.
- (37) Parking, Off-Street – An area adequate for parking an automobile with room for safely opening doors on both sides, together with properly related access to a public road arranged so that no maneuvering incidental to parking shall occur on any road.
- (38) Perennial Stream – Any creek, river, or other water course that has flowing water year-round.
- (39) Person – Any individual, corporation, company, partnership, organization, utility and/or municipality.
- (40) Planning Commission – The Oconee County Planning Commission and planning staff specifically authorized to carry out certain functions on its behalf.
- (41) Plat – A map or drawing which is an accurate graphical representation of a subdivider's plan for a subdivision.
- (A) Sketch plan – A simple sketch of a proposed subdivision layout showing roads and other principal features. The sketch plan is preparatory to the preliminary and final plats and may enable the subdivider to save time and expense in reaching general agreement as to the form of the plat and the objectives of these regulations.
- (B) Preliminary plan (plat) – A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate its working ability in all aspects.
- (C) Final plat (plan) – A drawing which shows the 'as built' layout of all road construction, public utilities, public facilities, and lots to be sold.

- (42) Potable Water – Water used or treated by a water company or utility to be sold for human consumption.
- (43) Private Driveway – A driveway that provides vehicular access and road frontage to not more than three (3) single family residences.
- (44) Private Drive – A privately owned and maintained right-of-way or an easement that specifically grants the right for utilities and all road work, that provides vehicular access and road frontage to not less than 4 and not more than ten (10) single family residential lots.
- (45) Private Road – A privately-owned and maintained right-of-way that contains a roadway constructed in accordance with these regulations and provides vehicular access and road frontage to more than ten (10) single-family residential lots.
- (46) Public Road – Roads, avenues, boulevards, highways, freeways, lanes, courts, thoroughfares, collectors, minor roads, cul-de-sacs and other ways including the entire right-of-way considered public and both dedicated to and accepted by the United States, the State of South Carolina, or Oconee County.
- (A) Arterial Road – A major road with access control, channelized intersections, restricted parking, and that collects and distributes traffic to and from minor arterials and from collector streets.
- (B) Collector Road – A road that typically exceeds 800 ADT's and has the primary purpose of intersecting traffic from intersecting local road and handling movements to the nearest arterial road. A secondary function is to provide direct access to abutting properties. A road that connects local access roads to the highway systems major and high-speed arterial roads. The collector road provides both land access service and traffic service within residential subdivisions.
- (C) Local Road (major) – A road in which the road typical number of average daily traffic (ADT) ranges from 401 to 800 and contains two or more access points. The primary purpose is to provide access to abutting properties and receiving traffic from minor local roads.
- (D) Local Road (minor) – A road in which the typical number of average daily traffic (ADT) ranges from 0 to 400 and has the primary purpose of providing access to abutting properties. This road normally terminates in a cul-de-sac, loop or other turnaround, with no more than two access points.
- (47) Road Right-of-Way Width – An easement within which utility installation, utility maintenance, road way construction, and roadway maintenance shall occur according to the standards put forth in these regulations.
- The following are the required road right-of-ways and minimum road widths allowable:

Arterial Roads:

Right-of-way 66 to 120 feet (as determined by the county engineer)

Road widths 28 feet (as determined by the county engineer)

Collector roads:

Right-of-way 66 feet

Road widths 24 feet

Major local:

Right-of-way 50 feet

Road widths 22 feet

Minor local and/or service roads:

Right-of-way 50 feet

Road widths 20 feet

The above widths are driving surface widths and exclude widths added by curb and gutter and/or asphalt valleys.

- (48) Sanitary Sewer – A constructed conduit connected with or as a sewer system for the carrying of liquids and solids other than storm waters to a sanitary treatment facility.
- (49) Setback Line – The line indicating the minimum distance permitted between the road right-of-way line and the building line.
- (50) Sketch Plan – See Plat (plan).
- (51) Storm Sewer – A constructed conduit connected with or as a storm sewer system for the carrying of storm waters to a water source.
- (52) Stream – A flow of water in a channel or bed, such as a brook, creek or river.
- (53) Street – See Public Road
- (54) Subdivider – Any person, firm, corporation owner, agent, developer, or other legal entity who directly or indirectly attempts to subdivide land within the jurisdiction of this ordinance. See also "Developer".
- (55) Subdivision – All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose (whether immediate or future) of sale, lease, or building development; including all division of land involving a new roadway or an alteration in an existing roadway. Also instances in which the further division, relocation of lot lines, or the rearrangement (including combinations of lots) of any lot or lots within a subdivision previously approved or recorded according to law. The alteration of any roadways or the establishment of any new roads within any subdivision previously approved or recorded according to law. A subdivision can include townhouses, condominium complexes, apartment complexes and multi-family housing.

The following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivision:

- (A) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the County;
- (B) The division of land into parcels of five acres or more where no new street is involved and plats of these exceptions must be received as information by the County Planning Commission which shall indicate that fact on the plats; and
- (C) The combination or recombination of entire lots of record where no new street or change in existing streets is involved.

- (56) Terrain Classifications – Classification of terrain by grade ranges as follows:
Level – Grade range of 0% to 8%
Rolling – Grade range of 8.1 to 15%
Hilly – Grade range of over 15%
- (57) Townhouse – A building or group of buildings containing a dwelling unit or units constructed in a series or group of attached units with property lines separating such units.
- (58) Traditional Septic Systems – A waste-disposal system designed for the treatment and disposal of domestic sewage by means of an onsite septic tank and soil absorption system utilizing a traditional drain field on a single lot. All such systems are subject to the review and approval of the South Carolina Department of Health and Environmental Control.
- (59) Transfer or Sale of Lots – Any means by which the ownership of a property changes hands, including, but not limited to, the purchase of trade of a property subject to a mortgage, the assumption of a mortgage debt by the property purchaser, and any exchange of possession of the property under a land sales contract or any other land trust device.
- (60) Utilities – Utilities shall consist of any and all utility services to a subdivision, including water, sewer, storm sewer, electricity, telephone, cable television, gas, and sanitary sewerage, whether such utilities are supplied by a private individual, private company, authority, or a governmental entity.
- (61) View Lane – The portion of a natural buffer utilized and maintained by the property owner to enhance observation of the lake and surrounding landscapes. Typically, the vegetation in the view lane is lower in height and/or smaller in diameter than that found in the rest of the buffer.
- (62) Watercourse – Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed, and banks and includes any area adjacent thereto subject to inundation by reason of overflow or floodwater.
- (63) Yard – A space on the same lot with a principal building open, unoccupied, and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings and structures are expressly permitted.
- (A) Front Yard – A yard situated between the front building line and the front lot line extending the full width of the lot.
- (B) Rear Yard – A yard situated between the rear building line and the rear lot line extending the full width of the lot.
- (C) Side Yard – A yard between the side building line and a side lot line that extends from the front yard to the rear yard.

ARTICLE 3 REQUIREMENTS AND STANDARDS

Section 3.1 Unapproved Plat Prohibition

No plat of the subdivision of any land within the unincorporated areas of Oconee County as now or hereafter established, and any incorporated municipality which contracts with the Oconee County for these regulations to be administered within such municipality, shall be filed with or recorded by the Oconee County Register of Deeds until such plat shall have been submitted to and approved by the Oconee County Planning Commission, Planning Director, or designee according to the procedures set forth in the Ordinance. No road or other way shall be accepted or maintained, nor shall any water line, sewerage, road lighting or similar improvements extended or connected, nor shall any permit be issued by any department of the County for any or other improvements in any subdivision established hereafter which has not been approved by the Oconee County Planning Department and met such requirements as prescribed by Oconee County Council.

Section 3.1 Survey Standards

Plats shall be prepared and survey data entered thereon in accordance with the most recent adopted version of the "Minimum Standards Manual of the Practice of Surveying in South Carolina" established by the SC Board of Registration for Professional Engineers and Land Surveyors provided that all elevations information shall refer to Mean Sea Level Datum or other establish datum (a minimum of 2 assumed elevation with two benchmarks). Accuracy of plats and attendant data shall be no less than that required in said manual for Class B Suburban Land Surveys.

Section 3.2 Subdivision Name

The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Planning Commission shall have final approval authority for the name of the subdivision.

Section 3.3 Utilities

When utilizing a road right-of-way, all utility lines shall be buried at a depth of at least thirty six (36) inches. Such lines shall be located a minimum of two feet outside the portion of the road to be surfaced to prevent having to cut into the paved surface or reconstruct drainage structures to serve abutting properties. In order to prevent future road cuts, utility stub-outs shall be added to all utility lines extending beyond the roadway to each property line.

Section 3.4 Road Signs

Road name signs shall be installed at all intersections with a subdivision. All other signs shall be installed as required by and at the direction of the County Engineer or his/her designee. All signage will be in accordance with the Manual of Uniform Traffic Control. The developer shall be responsible for all costs of road signage for private drives, private roads, and proposed county roads (at a cost determined by resolution of County Council from time to time) prior to acceptance of road by Oconee County. Any person who shall willfully or maliciously damage, deface, remove or otherwise tamper with a sign erected by a subdivider or the county designating the name of any county road shall be guilty of a misdemeanor. In addition thereto, such person shall be liable to the county for the cost incurred by the county as a result of said criminal acts.

Section 3.5 Family Transfers

When no consideration, other than a nominal monetary amount and love and affection, is paid to the Grantor of subdivisions resulting from family transfers as defined by this section of the ordinance, the following shall apply:

Subdivision of parcels that results from the conveyance of parcels deeded by parents to children, children to parent, sibling to sibling, grandparents to grandchildren or grandchild to grandparent, and does not involve the construction or extension of any road, bridge, or drainage structure to provide access to interior lots, and does not involve the creation of any new drainage easement, shall be received as information only and approved administratively by the Planning Director.

Section 3.6 Minor Subdivision (Reserved)

Section 3.7 Compliance with Road Standards

Road plans and supporting documentation needed to comply with all adopted Oconee County road standards shall be included with the submission of subdivision plans. Approval of the subdivision shall not be granted unless all applicable road standards are met.

ARTICLE 4 LOT IMPROVEMENTS

Section 4.1 Lot Arrangements

All lots shall be arranged such that there will be no apparent difficulties in securing driveway encroachment permits or building permits for reasons of topography or other conditions and must have driveway access from an approved road. The developer shall be liable for all lots within a proposed subdivision.

Section 4.2 Lot Dimensions

Except where circumstances such as topography, water courses, road alignment or existing site boundary configurations dictate otherwise, the following requirements shall apply:

- (1) Dimensions of corner lots shall be large enough to allow for the erection of buildings observing the minimum yard setbacks from both streets, without encroaching into side and rear yard setbacks, established in the building line section of this chapter.
- (2) Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for off-street parking and loading facilities required for that type of development, without encroaching into yard setbacks.

Section 4.3 Lot size

Minimum lot size shall be .57 acres (approximately 25,000 square feet) with traditional onsite septic tanks served by public water, unless DHEC requires greater area or dimensions. All required setbacks shall be met regardless of lot size. No part of a septic system shall be located within any road right-of-way.

Section 4.4 Building Lines

All building setback lines shall be: Front Yard twenty five (25) feet from the closest edge of the right-of-way on lots abutting local roads and forty (40) feet from the right of way on lots abutting collector roads. Side Yard setback of ten (10) feet from each property line or right-of-way and Rear Yards setback of twenty five (25) feet from the rear property line or right-of-way except for those abutting collector roads, which shall have a setback of forty (40) feet.

Section 4.5 Double Frontage Lots and Access to Lots

- (1) Every lot shall have at least twenty five (25) feet of frontage on a public or private road.
- (2) Double Frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential traffic from traffic arterials or to overcome specific disadvantages of topography and orientation.
- (3) Lots shall not in general derive access exclusively from arterial and collector roads. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on arterial and collector roads.

Section 4.6 Usable Area

All lots adjacent to flood plains, creeks, and wetlands should use these natural features as lot boundaries when possible. Lots containing areas unsuitable for usage shall not use these areas in calculating minimum lot area.

Section 4.7 Septic System Setback

- (1) Traditional septic systems shall be constructed so that they comply with all regulations of the South Carolina Department of Health and Environmental Control (DHEC).
- (2) The applicant shall provide the Planning Director a copy of all South Carolina Department of Health and Environmental Control (DHEC) permit drawings and an approved DHEC permit application for the proposed septic systems utilized within the development.
- (3) The developer must demonstrate to the Planning Director that the proposed development will not adversely affect the present water table and the existing water supplies; and also demonstrate that the proposed water supply system will not be adversely affected by existing septic systems.

Section 4.8 Lot Drainage

Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to prevent concentration of storm water from each lot to any adjacent property. Drainage systems used to control water on one property shall not increase the water flow on adjacent properties without legal easements.

Section 4.9 Lakes and Streams

If a tract being subdivided contains a water body, or portion thereof, the ownership of and the responsibility for safe and environmentally compliant maintenance of the water body is to be placed so that it will not become a local government responsibility. The minimum area of a lot required under this ordinance may not be satisfied by land that is under water. Where a watercourse other than storm drainage separates the lot's buildable area from the road providing access, an engineer's certified structure shall be provided linking the buildable area to the road. All watercourses shall remain free of obstructions and degradations.

Section 4.10 Easements

Easements having a minimum width of (10) feet and located along the side or rear lot lines shall be provided as required for utilities and drainage.

Section 4.11 Entrances

One entrance is required for every one-hundred (100) lots in a proposed subdivision, or a maximum of one-hundred (100) lots on a dead end road with a cul-de-sac. This requirement may be waived by the Planning Director due to topography and feasibility. Every effort shall be made to not have an entrance directly onto an arterial road.

Section 4.12 Vegetative Buffers

The approval of subdivisions, site plans and/or building permits for construction of new residential units or commercial projects to be located within one thousand (1000) feet of Lakes Keowee, Hartwell, and Jocassee shall be contingent upon the establishment of a natural vegetative buffer of a width of less than twenty-five (25) feet, with a view land width of no more than 15% of the total length of a natural vegetative buffer. The buffer shall meet the following standards:

- (1) To reduce non-point source pollution, a natural buffer of twenty-five (25) feet shall be maintained with no grasses or ornamental vegetation established within that buffer. To reduce non-point pollution a vegetative buffer of twenty-five (25) feet measured horizontally from the full pond elevation shall be maintained with no manicured lawns or other managed grasses established within that buffer. A diverse mix of native plants and unmanaged (uncut below twelve (12) inches and untreated) native grasses are preferred vegetation where available and suited to the site. Additionally, no clear cutting or mowing, cultivation activities, fertilization, use of herbicides, fungicides, or pesticides shall occur within the twenty-five (25) foot buffer area. Right-of-way maintenance activities by utilities shall be exempt.

- (2) No trees larger than six-inch caliper at four feet from the ground shall be removed unless certified to be a hazard by a registered forester or arborist.
- (3) Trees may be limbed up to 50 percent of their height.

This regulation shall exempt projects that are located on parcels lying no closer than twenty-five (25) feet from a lake shoreline or are located on parcels that are not traversed, either in full or in part, by a perennial stream, designed wetland, or other water course within one thousand (1000) feet of Lakes Keowee, Hartwell, and Jocassee. The buffer shall begin at the lake's full pond level.

ARTICLE 5 BLOCKS

Section 5.1 Residential Block Length

In order that there may be convenient access between various parts of a subdivision and in order to help prevent traffic congestion and undue inconvenience, the length of blocks hereafter established should not exceed eighteen hundred (1,800) feet and shall not be less than six hundred (600) feet; provided, however, that such length may be modified when appropriate due to the topography or physical shape of the property being subdivided.

Section 5.2 Residential Block Width

Blocks shall have sufficient width to allow two (2) tiers of lots. Blocks may be one lot in depth at the boundary of the subdivision, or where single-tier lots are required to separate residential development from through vehicular traffic or nonresidential uses.

ARTICLE 6 DRAINAGE AND STORM WATER

Section 6.1 General Requirements

In most cases the land disturbance permit required by DHEC will have considered the information needed for compliance with this section. However, Oconee County will review the information to ensure that all storm water runoff will be removed from proposed developments in perpetually maintained drainage systems designed to avoid damage to personal property. The Planning Director shall not approve any plat of subdivision which fails to make adequate provision for storm or flood water runoff channels or basins. Storm water drainage systems shall be separate and independent of any sanitary sewer system. Inlets shall be provided so that surface water is not carried across or around any road intersection except where routing around of small volumes is approved in writing by the County Engineer.

Section 6.2 Nature of Storm Water Facilities

The applicant may be required by the Planning Department or County Engineer to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with accepted engineering standards and specifications as approved by the County Engineer. All swales, ditches, or other open drainage shall be constructed and established to minimize erosion as approved by the County Engineer.

Section 6.3 Accommodation of Upstream Drainage Areas

The owner's engineer shall determine, certify, and design drainage facilities that are large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision.

Section 6.4 Effect on Downstream Drainage Areas

The Owner's Engineer shall study and provide the Planning Director and County Engineer with sufficient data proving that there are no adverse impacts on existing downstream drainage facilities outside the area of the subdivision. Where it is determined that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Planning Director may withhold approval of the subdivision until provision has been made for the improvement of said potential condition.

Section 6.5 Floodplain Areas

Floodplain areas shall be noted on all plans and plats for proposed development, and shall be preserved from any and all destruction or damage resulting from clearing, grading or dumping of earth, waste material, or stumps, unless explicitly permitted by DHEC, or other appropriate state agency. All construction activity within a development shall comply with standards of Oconee County Flood Plain Ordinance.

- (1) Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose and to accommodate maintenance equipment and activities. Wherever possible, it is desirable that

the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow. The Planning Department will review the information required by the DHEC land disturbance permit to ensure the intentions of 6.12 are met.

- (2) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road right-of-way, perpetual unobstructed easements at least twenty (20) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on all plats. Drainage easements shall be carried from the road to a natural watercourse or to other approved or adequate drainage facilities.
- (3) When a proposed drainage system will increase the maximum flow of water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.
- (4) Low-lying lands along watercourses subject to flooding or overflowing during storm periods, included in areas for dedication, shall be preserved and retained in their natural state as drainage ways except where improvements such as grassing, walkways, and playground areas are specifically approved by the Planning Director.
- (5) All rights-of-way shall contain a permanent drainage easement for all water runoff from the road right-of-way as deemed necessary by the County Engineer. It shall be the responsibility of the owner/developer to acquire any necessary drainage easements from private landowners.

ARTICLE 7 WATER FACILITIES

Section 7.1 General Requirements

- (1) Where a public water main is within one thousand (1000) feet of a subdivision boundary, the developer shall connect thereto and install adequate central water facilities. Where the accessible public water main is six (6) inches or greater in diameter, distribution lines shall be at least six (6) inches in diameter. In the event that the water supplier certifies the existence of insufficient water pressure to provide service to six (6) inch distribution lines to the site, the Planning Director shall permit appropriate reductions in the diameter of distribution lines. In cases along permanent cul-de-sacs or circles less than one thousand (1000) feet in length, a minimum diameter of two and one-half (2½) inches is permitted.
- (2) Water distribution systems shall be approved by the designated utility entity and the appropriate division of DHEC.
- (3) The location and design of all water system improvements shall be shown on the preliminary plat, and the cost of installing same shall be included in any bond to be furnished by the developer.
- (4) All utility lines shall be located a minimum of two (2) feet outside of road surface areas at the edge of the rights-of-way and shall be buried at a depth of at least thirty six (36) inches. When the sewer line is located in a road right-of-way and it

will be necessary to cut into the road surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot prior to surfacing the road.

Section 7.2 Individual Wells and Central Water Systems

If a public water system is not available, wells may be used or a package central water system provided in such a manner that an adequate supply of potable water will be available to every lot in the subdivision. Central water systems shall be approved by the appropriate division of DHEC. Orders of approval shall be submitted to the Planning Department.

Section 7.3 Fire Hydrants

Fire hydrants shall be required for all subdivisions except where individual wells are used or a water main of less than six (6) inch diameter is permitted, and shall be located as defined in the adopted fire code and shall be approved by the applicable fire protection entity. In the event no adequate water supply is available, alternative methods of fire protection may be approved by appropriate fire officials, provided such measures are provided for under adopted fire code. To avoid future road cutting, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements shall be installed and approved before any final paving of a road shown on the subdivision plat.

Section 7.4 Wastewater Facilities

- (1) Where a public sanitary sewerage system is reasonably accessible and available, the applicant shall connect with same and provide sewers accessible to each lot in the subdivision. When the sewer line is located in a road right-of-way and it will be necessary to cut into the road surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot prior to surfacing the road.
- (2) Sanitary sewer shall be designed and installed to the design standards and specifications of the city, county, or public service district into whose sewer system the subdivision is connecting and all design standards and specifications of the appropriate DHEC division.
- (3) Where public sanitary sewerage systems are not reasonably accessible or available, package, central or individual waste collection/treatment systems may be provided. These systems must be approved by the appropriate division of DHEC prior to approval of any preliminary subdivision plan.

ARTICLE 8

NONRESIDENTIAL SUBDIVISIONS

Section 8.1 General

If a proposed subdivision includes land that is proposed for commercial, industrial or other nonresidential purposes, the layout of the subdivision shall incorporate such provisions and facilities as required by the standards set forth in section 8.2 below.

Section 8.2 Standards

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the road, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- (1) Proposed nonresidential parcels shall be suitable in area and dimensions to the types of industrial/commercial development anticipated.
- (2) Road rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated.
- (3) Special requirements may be imposed by the county with respect to road, curb, gutter, and sidewalk design and construction.
- (4) Every effort shall be made to protect adjacent residential areas from potential nuisances from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
- (5) Roads carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

ARTICLE 9 SECURITY IN LIEU OF COMPLETION OF IMPROVEMENT

In lieu of the completion of the physical development and installation of the required improvements prior to the final plat approval, Oconee County may accept a financial guarantee in the form of cash, bond, or escrow letter of credit with an approved financial institution, in an amount and with conditions satisfactory to it, securing to the County the actual construction and installation of such improvements and utilities within a period specified by the County Engineer.

- (1) If the subdivider wishes to have a final plat approved prior to the installation, inspection and approval of all required improvements he may file a performance of surety bond executed by a surety company licensed to do business in the State.

of South Carolina, in an amount equal to one hundred twenty five percent (125%) of the owner's engineer (and verified by the County Engineer) estimated cost to complete the improvements. The bond shall guarantee the completion of all improvements within a time prescribed by the Planning Director.

- (2) If the subdivider wishes to have a final plat approved prior to the installation, inspection and approval of all required improvements, he may establish an escrow account with the County into which the subdivider shall place, prior to the sale of any lot in the subdivision, an amount equal to one hundred twenty five percent (125%) of the owner's engineer (verified by the County Engineer) estimated cost to complete the improvements. Funds in such escrow account shall be returned to the subdivider following completion of all improvements within time limits prescribed by the County Engineer. The final determination for returning the escrowed money to the developer shall be made by the County Engineer.
- (3) In the event that required improvements are not completed, inspected and approved within the required time, the County may expend escrowed funds, securities, or performance bond funds to complete the required improvements. The Planning Director may also, at his discretion, withhold building permits or occupancy permits in such subdivision until such improvements are completed. In which case, it shall then be unlawful to sell any further lots in the subdivision until all improvements are completed. No occupancy permits shall be issued within the subdivision, unless street improvements are at least adequate for vehicular access by the prospective occupant(s) and by the emergency vehicles and personnel.
- (4) No building permit shall be issued for the final ten percent (10%) of lots in a subdivision, or if ten percent (10%) be less than two (2), for the final two (2) lots of a subdivision, until all public improvements required by the County Engineer for the subdivision have been fully completed and the County has accepted all as-built drawings.
- (5) The developer shall be required to maintain all required public improvements on the individual subdivided lots, if required by the Planning Director, until acceptance of the improvements by the appropriate utility or government entity. If there are any certificates of occupancy on a street not dedicated to the County, the County may on twelve (12) hours notice effect emergency repairs and charge those costs to the developer.
- (6) Surety bonds will be returned to the developer following delivery of all as-built drawings to the County Engineer, and after acceptance of all improvements by the County.

ARTICLE 10 PLAT REQUIREMENTS AND REVIEW PROCEDURES

Section 10.1 General

No lot proposed to be created through the creation of a subdivision shall be sold until a final plat showing the subdivision has been approved by the Planning Director, and has been recorded with the Oconee County Register of Deeds.

Section 10.2 Application Review

The Planning Director may approve a minor or exempt subdivision, containing no new roads, after reviewing the final plan.

Section 10.3 Plat Recordation

The Planning Director's approval of a subdivision final plan is contingent on submission of four (4) original copies of the plat to the Oconee County Register of Deeds, and recordation of the plat by the Register of Deeds. An authorized copy of the recorded plat shall be submitted to the Planning Director.

Section 10.4 Appeal of Decision

Any person aggrieved by the Planning Director's decision to approve or deny an application for subdivision approval may appeal the decision to the Planning Commission in writing within ten (10) working days of said decision as outlined in chapter one (1) of this ordinance.

ARTICLE 11 SKETCH PLAN

Section 11.1 Sketch Plan Review Conference

All persons intending to subdivide or develop property are strongly encouraged to confer with the Planning Director prior to proceeding. Proposed developments consisting of twenty (20) new housing units shall schedule a sketch plan review prior to any formal application.

Section 11.2 Basic Sketch Plan (Optional Requirements for Developments less than twenty (20) units.)

- (1) The Sketch Plan shall be drawn to show the approximate layout of the proposed subdivision and its relationship to the surrounding area.
- (2) Sketch Plans are informal, exploratory examinations of a proposed idea. The Planning Director will review the proposed layout and discuss any issues with the subdivider and may require a detailed sketch plan to be submitted.

Section 11.3 Detailed Sketch Plan (Required for 20 or more units)

- (1) The Sketch Plan shall be drawn at an approximate scale of not less than a scale of two hundred (200) feet to one inch and shall include a Vicinity Map at a scale of not less than two (2) miles to one (1) inch showing the relationship of the proposed subdivision to the surrounding areas.
- (2) All Sketch Plan Submittals shall include the following in sketch or narrative form:
 - (A) An accounting of total acreage in the tract to be divided and number of lots proposed;
 - (B) Arrangement, shape, dimensions, and area of proposed lots;
 - (C) Location of existing property lines, easements, road right-of-ways, buildings, or other public ways adjoining the tract to be subdivided;
 - (D) Alignment, right-of-way width, and clarification of proposed roads;
 - (E) Topography by contour at intervals of not more than twenty feet (as from USGS quad sheets);
 - (F) Map scale, north arrow, and date;
 - (G) Name/address/telephone number of legal owner or agent and the professional (surveyor or engineer) who will undertake detailed subdivision layout and improvements design;
 - (H) Location of water courses and land subject to flooding based on a one hundred (100) year frequency flood. Owner's surveyor shall indicate if property is or is not in a floodplain;
 - (I) The existing and proposed uses of land throughout the subdivision;
 - (J) Proposed method of water supply and wastewater treatment and other utility service;
 - (K) The proposed name of the subdivision.
- (3) A subdivider shall submit a Sketch Plan of the entire tract even if the subdivider's present plans call for the actual development of only a part of the property. All phases of the subdivision must be shown on the sketch plan and marked as future development.
- (4) Prior to sketch plan submittal, the subdivider is encouraged to interact with the County Soil and Water Conservation District to obtain soil survey information and written site evaluation comments to be included as part of the sketch plan submittal.

Section 11.4

Sketch Plan Review

- (1) A subdivider shall submit sketch plan copies and application forms in quantities specified by the Planning Director. The Planning Director shall obtain input from the County Engineer and affected agencies and shall provide comments in the form of a composite list to the subdivider within fifteen (15) working days of sketch plan submitted.
- (2) If the subdivider disagrees with comments provided, the subdivider may request an informal review by the Planning Commission in accordance with the Oconee County Planning Commission Rules of Procedure.
- (3) In reviewing a sketch plan and sketch plan comments, the Planning Commission may affirm such comments or modify them to the extent as such modifications do not depart from the provisions of these adopted regulations.

ARTICLE 12

PRELIMINARY PLAN AND SUPPORTING DATA

Section 12.1

Submittal Requirements

- (1) Applications for preliminary approval of a subdivision shall be submitted to the Planning Director for review.
- (2) The applicant shall submit all appropriate fees at the time of application.
- (3) Applications shall include four (4) copies of the proposed preliminary plan.
- (4) The applicant shall submit all responses, amended plans, additional information, or any other necessary materials to satisfy all adopted Oconee County regulations.
- (5) An applicant may withdraw an application for subdivision approval at any time by submitting written notice to the Planning Director.
- (6) It shall be unlawful for construction to commence prior to preliminary approval of the plan as defined in this ordinance.
- (7) Preliminary approval typically permits a developer to proceed with the construction of all roads, utilities, and public infrastructure.
- (8) A copy of a preliminary letter of approval from the appropriate division of the South Carolina Department of Health and Environmental Control (DHEC) shall be required for subdivisions served in part or in whole by individual onsite septic systems.
- (9) An electronic copy of the proposed development plan showing the layout of the subdivision in an approved format and file extension shall be required.

Section 12.2 Preliminary Plan Requirements

General

The Preliminary Plan shall include the following:

- (1) The preliminary plan shall be drawn at a scale of two hundred (200) feet to one (1) inch or greater, and shall include a vicinity sketch at a scale of not less than one (1) inch = two (2) miles. Sheet sizes should be 8.5" x 11", 8.5" x 14", 11" x 17", 18" x 24", or 24" x 36". This map and supporting data shall be prepared according to standards set forth in this ordinance and shall contain the following sections: General, Existing Conditions, and Proposed Conditions.
- (2) The proposed name of the subdivision, name/address/telephone of owner and/or subdivider, and name/address/telephone of surveyor and/or engineer.
- (3) A graphic scale, north arrow and date (north arrow shall be identified as magnetic, true, or grid).
- (4) The acreage to be subdivided.
- (5) The boundaries of the tract to be subdivided with all bearings and distances indicated.
- (6) A SC DHEC approved Storm Water Pollution Prevention Plan (SWPPP).
- (7) The following statement:

"NO COUNTY BUILDING PERMITS SHALL BE ISSUED FOR PROJECTS ON INDIVIDUAL LOTS PRIOR TO THE RECORDING OF A FINAL PLAT IN THE OFFICE OF THE REGISTER OF DEEDS."

Existing Conditions

The Preliminary Plan shall include the following:

- (1) Deed record names of adjoining property owners or subdivisions.
- (2) Location of water courses and land subject to flooding based on a one hundred (100) year frequency flood. Owner's surveyor shall indicate if property is or is not located in a floodplain.
- (3) Location of adjoining property lines and existing building on the property to be subdivided.
- (4) Location and right-of-way of roads, railroads, and utility lines either on or adjoining the property to be subdivided.
- (5) Size and location of existing sewers, water mains, drains, culverts, or other underground facilities within the site and adjoining the tract.
- (6) The acreage of each drainage area affecting the proposed subdivision.
- (7) Topography by contour at intervals of not more than twenty feet (as from USGS Quad maps).
- (8) Elevations shall refer to sea level or assumed elevation with a minimum of 2' bench mark near the site.

- (9) Location of city and county line, if applicable, and a statement identifying the location of the nearest central water and sewer lines and fire department and the distance from same to the tract being subdivided.

Proposed Conditions

The Preliminary Plan shall include the following:

- (1) Total number of lots, total acreage, total length of new roads.
- (2) Layout of roads including all right-of-way, public crosswalks, road names or designations, grades, and cross sections.
- (3) Profile of proposed roads showing natural and finished grades.
- (4) Layout of all lots, including area, building setback lines, scaled dimensions of lots, lot and block numbers, utility easements with width and use.
- (5) Construction Plan of sanitary sewers (if applicable) with grade, pipe size, and location and permit to construct from DHEC and approval of the appropriate utility provider.
- (6) Storm sewers shall be sized to accommodate runoff based upon the 10-year design storm except road crossings shall be a minimum of 25-year design storm.
- (7) Construction Plan for water supply system (if applicable) with pipe size and location of hydrants and valves and permit to construct from DHEC and, where applicable, approval of the appropriate utility provider.
- (8) Designation of all land to be reserved or dedicated for public use.
- (9) Designation of proposed use of all lots.
- (10) Proposed major contour changes in areas where substantial cut and/or fill is to be done.

NOTE: Refer to survey requirements.

Section 12.3 Preliminary Review Procedure

- (1) The Planning Director shall notify all appropriate review agencies for comments. These may include, but are not limited to the following:
 - (A) Appropriate division of DHEC
 - (B) Soil and Water Conservation Office
 - (C) Appropriate public service district or city as applicable
 - (D) County Public Works Department
 - (E) Appropriate fire protection entity
 - (F) County Engineer
 - (G) Oconee County Sewer Commission
 - (H) Oconee County School District
- (2) Agencies and departments shall provide written comments to the Planning Director within fifteen (15) working days of the date of the preliminary plan application.

- (3) The Planning Director shall render a decision within twenty five (25) working days of the date of preliminary plan application. The Planning Director's action and reasons therefore shall be transmitted in writing to the subdivider.
- (4) Agencies and departments shall provide written comments to the Planning Director within fifteen (15) working days of the date of the preliminary plan application.
- (5) Once the submitted plans are deemed to be in compliance with all applicable Oconee County ordinances, the applicant shall be notified in writing that the plans have been preliminarily approved.
- (6) The Planning Director may grant conditional preliminary approval to insure compliance with all County Ordinances. All such conditions shall be met prior to final approval.
- (7) If a plan is approved subject to conditions, the subdivider shall submit plan exhibits amended to incorporate such conditions within twenty (20) working days of such approval. Preliminary plat approval shall be effective for one (1) year provided the Commission may extend same for up to one (1) additional year upon written request from the subdivider.
- (8) A subdivider, or other party materially affected by the Planning Director's decision, may appeal for review by the Planning Commission. Such appeal shall detail the reasons therefore, and be made in writing within ten (10) working days of the Planning Director's action. Affected parties shall be notified in writing of the Planning Commission's determination. The Planning Commission's decision may be appealed to the Circuit Court within thirty (30) days after the actual notice of the Commission's decision.
- (9) Variances shall be considered by the Planning Commission pursuant to Section 1.5.5(3) of the United Performance Standards Ordinance and conducted in a manner consistent with standards put forth in Oconee County Planning Commission Rules of Procedure.

ARTICLE 13 FINAL PLAN

Section 13.1 Submittal Requirements

- (1) A person seeking final approval of a subdivision shall submit an application to the Planning Director for review by this ordinance.
- (2) The applicant shall also submit all appropriate fees at the time of application.
- (3) Where the improvements required by this ordinance and the preliminary plan have not been completed prior to the submission of the Final Plan for approval, approval of the plan shall be subject to the owner filing a Performance Guarantee in the form of cash and/or surety with the Oconee County according to the provision set forth in this ordinance.
- (4) Upon 90% completion of the construction of road and utilities of a preliminarily approved subdivision, a final "as built" plan shall be submitted to the Planning Director noting any changes from the preliminarily approved plans.

- (5) The Planning Director's approval of a final plat is contingent on submission of four (4) original stamped copies of the plat to the Geonee County Register of Deeds.
- (6) A copy of the recorded plat authorized by the Register of Deeds shall be submitted to the Planning Director.
- (7) Where individual septic waste disposal is proposed, the developer shall provide a letter of final subdivision approval from the appropriate division of DHEC identifying each lot for which individual waste disposal is approved.

Section 13.2 Final Plan Requirements

The Final Plan shall include the following:

- (1) If the Final Plan is drawn in two or more sections, each section shall be accompanied by a key map showing the location of the several sections. Final plans shall be drawn at a scale of no less than one hundred (100) feet to one (1) inch; shall be drawn on sheets 8.5" x 11", 8.5" x 14", 11" x 17", 18" x 24", or 24" x 36"; shall be prepared according to the standards set forth in this ordinance.
- (2) Name of owner of record.
- (3) Name of subdivision and identification number assigned, date, north arrow, and graphic scale.
- (4) Name, registration number, and seal of registered surveyor.
- (5) Sufficient surveying data to determine readily and reproduce accurately on the ground the location, bearing, and length of every road line, lot line, easement, boundary line, and building line whether curved or straight. Curve boundaries will be defined by curve data to include the radius, delta angle, total area, length and the long chord by bearing and distance and shall also be defined as a traverse of chords around the curve using bearings and distance.
- (6) Names of owners of record of all adjoining land, all property boundaries, water courses, roads, easements, utilities and other such improvements, which cross or form a boundary line of the tract being subdivided.
- (7) Exact boundaries of the tract of land being subdivided as noted in the survey article of this Ordinance.
- (8) Roads, rights-of-way, percent of grades and road names. Steel or iron rods at least twenty inches long and one half inch in diameter shall be placed at all lot corners and at all other survey points not marked by permanent monuments. Property lines extending to road centerlines shall be marked by an iron stake on all offset with location clearly shown on the plat and selected so corners lie on a line of survey or a prolongation of such lines.
- (9) Rights-of-way or easement, location, widths, and purposes.
- (10) Lot lines, minimum building setback lines, and lot and block indicators.
- (11) Any parks, school sites, or other public spaces.
- (12) All dimensions shall be to the nearest one hundredth (1/100) of a foot and angles to the nearest twenty (20) seconds.
- (13) Accurate description of the location of all monuments and markers.
- (14) Utility easements, showing the widths of the following: (1) water, (2) gas, (3) sanitary sewer, (4) storm drainage, and (5) electrical line.

- (15) Where individual septic waste disposal is proposed, a letter of final subdivision approval from the appropriate division of DHEC identifying each lot for which individual waste disposal is approved. Areas or lots not so approved shall not be included on the final plat unless restricted to prohibit construction of building space thereon by such notation as "reserved exclusively for open space", etc.

Section 13.4 Final Plat Certificates

The following certificates shall appear on the Final Plat which is submitted to the Planning Commission by the subdivider:

Certificate of Accuracy (signed when submitted)

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Oconee County Land Development and Subdivision Regulations and the monuments shown have been placed to the specifications set forth in said regulations.

_____ 20____
Registration No. _____ Registered Land Surveyor

Certificate of Ownership and Dedication (signed when submitted)

It is hereby certified that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby dedicate all roads, alleys, walks, parks, and other sites to public or private use as noted.

_____ Date _____ Owner _____
_____ Owner _____

Certificate of Maintenance for Private Roads (when applicable)

The road right-of-way shown on this plat shall be private drives not owned, maintained, or supervised by Oconee County, and were not constructed pursuant to any plan for future acceptance by Oconee County. Road right-of-ways shown upon the plat shall not be accepted for maintenance by Oconee County at any time in the future unless constructed in accordance with all adopted Oconee County regulations.

Maintenance of the right-of-way shall be the responsibility of _____

Date

Owner / Developer

Certificate of Security in Lieu of Completion (when applicable)

The developer of this subdivision has filed the appropriate security of lieu of completion prior to recording the final plat.

Date

Planning Director

Certificates of Construction (one or both as applicable/signed when submitted)

I hereby certify that the roads and drainage system, in _____ Subdivision as shown on Plat dated _____, prepared by _____, have been installed substantially in accordance with the Preliminary Plan (Construction Drawings) approved _____.

SEAL

Registered Engineer or Surveyor

I hereby certify that central () water () sewer systems in _____ Subdivision as shown on Plat dated _____, prepared by _____, have been installed in accordance with Preliminary Plat (Constructed drawings) approved _____.

SEAL

Registered Engineer or Surveyor

Certificate of Approval (to be signed upon approval)

The subdivision plat hereon has been found to comply with the Oconee County Land Development Regulations and has been approved for recording. I certify that this plat creates a subdivision subject to and approved in accordance with the ordinances of Oconee County.

Date

Planning Director

Section 13.5 Final Plan Review Procedure

- (1) Final approval of the submitted plans shall be granted to the applicant after a review by the Planning Director.
- (2) Final plan application shall include all of or phases of a subdivision for which preliminary approval was granted, and shall contain documentation that all required improvements have been installed and certified.
- (3) Final plan applications may be considered, at the discretion of the Planning Director, if accompanied by the required security in lieu of completion of improvement.
- (4) Upon a determination that the final plan application is completed, the Planning Director shall render a written approval or rejection. Said decision shall be made within thirty (30) working days of application submittal.

A subdivider or any party materially affected by the Planning Director's decision may appeal to the Planning Commission in writing within ten (10) working days of said decision. The Commission shall schedule a hearing, conduct said hearing, and render a decision within sixty (60) days of the date of appeal. The decision of the Commission is final. The decision of the Commission may be appealed to the Circuit Court within thirty (30) days after the actual notice of the Commission's decision.

ARTICLE 14 APPEAL OF DECISION

Any person aggrieved by the Planning Director's decision to approve or deny an application for minor subdivision record plat approval may appeal the decision to the Planning Commission in writing within ten (10) working days of said decision as outlined in chapter one (1) of this ordinance.

ARTICLE 15

VIOLATIONS AND PENALTIES

- (1) Any violation of these regulations shall be a misdemeanor and, upon conviction, is punishable as provided by law.
- (2) Unapproved subdivision and subsequent transfer or sale of lots - Any such agreement, negotiated before such plat has been approved by the Oconee County Planning Commission and recorded by the Oconee County Register of Deeds shall be considered a violation of this Ordinance and punishable as provided herein. The description of metes and bounds in the instrument of transfer or other documents used in the process of selling or transfer shall not exempt the transaction from these penalties. Oconee County may enjoin such transfer or sale or agreement by appropriate action.

ARTICLE 16

LEGAL PROVISIONS

The regulations expressed in this document shall be considered as the minimum provisions for the protection of the health, safety, economy, good order, appearance, convenience, and welfare of the general public.

Section 16.1 Conflict with Other Laws, Ordinances, or Regulations

Whenever the requirements made under authority of these regulations impose higher standards than are required in any statute or local ordinance or regulation, provisions of these regulations shall govern. Whenever the provisions of any other statute or local ordinance or regulation impose higher standards than are required by these regulations, the provisions of such statute or local ordinance or regulations shall apply.

Section 16.2 Severability

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the ordinance as a whole, or any other part thereof, other than the part so declared to be unconstitutional or invalid.

Section 16.3 Repeal of Conflicting Ordinances

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 16.4 Amendments

The Planning Commission shall hold a public hearing on any proposed amendment to these regulations; notice of time and place shall be given at least thirty (30) days prior to the hearing date. The notice shall be placed in a newspaper of general circulation. Amendments may be adopted by vote of the Oconee County Council.

OCONEE COUNTY, SOUTH CAROLINA

ATTEST:

George Blanchard
Chairman, Oconee County Council

Elizabeth G. Hulse
Clerk to County Council

First Reading: November 6, 2008
Second Reading: November 18, 2008
Public Hearing: December 2, 2008
Third Reading: December 16, 2008

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: December 16, 2008
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

2008-21 - An Ordinance replacing Ordinance 2005-06, the Flood Damage Prevention Ordinance.

BACKGROUND OR HISTORY:

The County is being required to FEMA to update our Flood Ordinance in order to remain eligible for Federal Flood Insurance.

SPECIAL CONSIDERATIONS OR CONCERNS:

The new Ordinance will be sent to FEMA for its review. We need to pass this Ordinance on first reading prior to December 31, 2008.

STAFF RECOMMENDATION:

We recommend approval.

FINANCIAL IMPACT:

The Ordinance itself has no financial impact, but changes to the County's Flood Management System required by FEMA will have a financial impact.

ATTACHMENTS


The actual Ordinance will be distributed at the Council Meeting.

Submitted or Prepared By:

Brad Norton, County Attorney

Department Head/Elected Official

Approved for Submission to Council:


Dale Surratt, County Administrator

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

CC: Clerk to Council



December 8, 2008

Dear Mr. Sturte:

As you know Leadership Oconee County is a program sponsored by the Walhalla, Westminster & Seneca Chambers of Commerce to develop a core group of informed, committed and qualified individuals who provide community leadership in the County. As a part of the program a class project is chosen by each class. The project must be of benefit to the community. After careful consideration of several projects, the 2009 LOC class chose to upgrade one of the "Welcome to Oconee County" signs.

The Class wishes to partner with Oconee County by contributing some labor and obtain funding for the cost of the materials to enhance the sign and sign area along Highway 125, entering Oconee County from Clemson. The Class anticipates raising about \$15,000 for the project. This would cover plant material, related landscaping items, and a possible expansion of the current sign.

The LOC Class is asking for a commitment from the County to:

- assist in obtaining an SCDOT Encroachment Permit,
- provide necessary grading and soil,
- plant large trees,
- provide mulch, and
- provide perpetual maintenance (weeding, watering, pruning and mulch).

We know that it is the County's vision to keep all signs at entrance points into the County uniform in appearance. Leadership Oconee County class discussed that the current sign could be "lost" in the landscape design. If we are able to raise the necessary funds we plan to either expand the sign's dimensions or elevate and enhance the sign with masonry work.

We look forward to partnering with Oconee County to complete this mutually beneficial project.

The Class is aware that times are financially difficult but as a group we felt that this project would benefit the community and further promote Oconee County as a tourism destination. Without a commitment by the County, it is estimated that the Class will need to raise an additional \$20,000 for a Contractor to perform the work. The estimated annual maintenance cost is expected to be approximately \$2,000 (after the plants are established). Watering the plants to initiate and promote initial growth during the first year is expected to cost \$8,000. [Please be advised that cost estimates have been provided by the County Engineer.]

We are very enthusiastic about this project but also realistic. Without County support we can not move forward with this project, therefore, we would like to request a formal commitment regarding the County's participation in this project by December 17, 2008. Oconee County's consideration of assisting with labor and equipment in this mutually beneficial partnership would be greatly appreciated.

Respectfully,

Elizabeth Hulse

LOC Logistics Committee Chairperson

Oconee County
Administrator's Office

December 8, 2008

Leadership Oconee Class of 2009
c/o Mrs. Elizabeth Hulse
Hand Delivered

Dale Surratt
County Administrator

Dear LOC 2009 and Mrs. Hulse:

Oconee County
Administrative Offices
17 1/2 South Pine Street
Webster, SC 29699

The County Council has a policy that they review any grant request so as to understand the policy and ongoing funding requirements that may arise from the receipt of grant funds, equipment, or in kind services.

Phone: 864-538-1345
Fax: 864-538-4248

I am forwarding your letter of request to the County Council for their review and consideration at their December 16 meeting. I would offer as background that the County Council is concerned with the appearance of the county but they have also enacted a resolution encouraging the limited use of outside watering during this record drought as well as restricted the use of water for such uses on County properties.

Please feel free to contact me if you need any additional information before the meeting on December 16.

Sincerely,



Dale K. Surratt



**STATE OF SOUTH CAROLINA
OCONEE COUNTY
RESOLUTION NO. 2008-14**

**A RESOLUTION DESIGNATING A PORTION OF SC HIGHWAY 28,
BEGINNING AT HALFWAY BRANCH, AND CONTINUING WESTWARD
TO THE INTERSECTION OF SC HIGHWAY 11,
AS AN OCONEE COUNTY SCENIC HIGHWAY**

WHEREAS, Oconee County's scenic attributes have long been considered of immeasurable value to its citizens; and

WHEREAS, the Oconee County Comprehensive Plan prioritizes preservation, protection and enhancement of our scenic resources; and

WHEREAS, the 2028 Oconee by Choices Vision Plan identified the protection of the area's "beautiful natural environment" as a major goal; and

WHEREAS, a key component of Oconee County's efforts to expand economic development through tourism is maintaining our scenic qualities; and

WHEREAS, County Council adopted the Oconee County Scenic Highway Designation Ordinance (#2007-21) on October 21, 2008 to identify and help protect those intrinsic scenic qualities that serve to set special routes apart; and

WHEREAS, pursuant to the Oconee County Scenic Highway Designation Ordinance, Concerned Citizens for Conservation requested a portion of SC Highway 28 be designated an Oconee County Scenic Highway and the Oconee County Scenic Highway Committee met in public session and unanimously voted to support designation of the above-referenced portion of SC Highway 28 as an Oconee County Scenic Highway; and

WHEREAS, the Oconee County Planning Commission duly met to review Scenic Highway Committee's recommendation, and voted unanimously to support it;

NOW, THEREFORE, BE IT RESOLVED, after consideration of the merits of the proposed designation, County Council concurs, and hereby designates that portion of SC Highway 28 between Halfway Branch and the intersection with SC Highway 11 as an OCONEE COUNTY SCENIC HIGHWAY.

APPROVED AND ADOPTED this 16th day of December, 2008.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
George C. Blanchard, Chairman of County Council,
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina



Oconee County Planning Commission

415 S. Pine Street, Walhalla, SC 29691

Telephone: 864-638-4218

Fax: 864-638-4168

Recommendation to County Council: Designation of a Portion of SC Highway 28 as an Oconee County Scenic Highway

Pursuant to the standards set forth in the Oconee County Scenic Highway Designation Ordinance (2007-21), the Planning Commission met at 1:00 pm on December 12, 2008, in a special called meeting to consider a recommendation from the Oconee County Scenic Highway Committee that a portion of **SC Highway 28, beginning at Halfway Branch and proceeding westward to the Intersection with SC Highway 11**, be designated an Oconee County Scenic Highway.

Commission members present were:

Tommy Abbott, Chairman

Ryan Honca

Randy Abbott

Howard Moore

Rex Ramsay

Bill Nelson

The Commission heard a presentation by Mr. J. Harold Thomas, Chairman of the Oconee County Scenic Highway Committee, who stated that, on Tuesday, December 9, 2008, the Scenic Highway Committee voted unanimously to support an application to designate the above-referenced portion of SC Highway 28 an Oconee County Scenic Highway. After discussion between the Commission and Mr. Thomas, comments were taken from members of the public attending. Upon completion of the comments, Mr. Honca made a motion to recommend designation of the above-described portion of SC Highway 28 as an Oconee County Scenic Highway; Mr. Ramsay seconded the motion. The motion was approved unanimously.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: December 16, 2008

COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Consideration of Oconee County Scenic Highway Committee's Recommendation to Designate a Portion of SC28 from Halfway Branch to the Walhalla City Limits as a County Scenic Highway

BACKGROUND OR HISTORY:

The Oconee County Scenic Highway Ordinance (2007-21) was adopted by County Council on October 21, 2008. Under the provisions of the ordinance, the Scenic Highway Committee is charged with reviewing applications to determine if highways proposed for designation meet established criteria; in the event a road is deemed to meet said criteria, the Committee recommends designation as a County Scenic Highway. The recommendation is reviewed by the Planning Commission, and a report is forwarded to County Council for consideration. Designation as a County Scenic Highway is accomplished by resolution of County Council.

It should be noted that the effort to create the Scenic Highway Ordinance was the result of the desire of a group of citizens to protect remaining scenic attributes of a section of SC Highway 28, which many see as the "gateway" to the City of Walhalla. The proposal under consideration is the first application considered by the Scenic Highway Committee.

SPECIAL CONSIDERATIONS OR CONCERNS:

While the Scenic Highway Ordinance itself contains only limited regulations, the Oconee County Sign Control Ordinance prohibits new billboards on all scenic highways.

STAFF RECOMMENDATION:

Designate the specified portion of SC Highway 28 as an Oconee County Scenic Highway by resolution.

FINANCIAL IMPACT:

The cost of signage.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

ATTACHMENTS

Copy of Scenic Highway Application Packet submitted by Concerned Citizens for Conservation (CCC)

Submitted or Prepared By:



Department Head/Elected Official

Approved for Submittal to Council:



Dale Sarrett, County Administrator

Reviewed By: Initials:

County Attorney

Finance

Grants

City Clerk to Council

Agenda Items Summary to be submitted to Administrator for review / approval no later than close of business on Wednesday prior to a Council meeting.

Concerned Citizens for Conservation
CCC

P.O. Box 309
Walhalla, S.C. 29691

December 11, 2007

Oconee County Council
415 South Pine Street
Walhalla, SC 29691

Dear Council Members,

We respectfully request that the following highway in Oconee County be designated a "Oconee County Scenic Highway," and that appropriate signs be posted recognizing it as such:

1. SC Hwy 28, from Half Way Branch to the SC 28/11 interchange

We thank you for your consideration.

Concerned Citizens for Conservation

Concerned Citizens for Conservation
CCC

P.O. Box 309
Walhalla, S.C. 29691

December 16, 2007

Oconee County Planning Department
415 South Pine Street
Walhalla, SC 29691

To Whom It May Concern:

We respectfully request that the section of SC Hwy 28 from Half Way Branch to the intersection of SC 28/11 in Oconee County be designated a "Oconee County Scenic Highway." Enclosed please find our Scenic Highway Corridor Plan.

We thank you for your consideration.

Concerned Citizens for Conservation

Scenic Highway Corridor Plan:

- (a) A detailed description of the section of the road or highway to be designated, including two or more of the intrinsic qualities as defined in this Ordinance.

The section of highway we would like to have designated as an Oconee County Scenic Highway is that section of SC Hwy. 28 from Half Way Branch to the intersection of SC 28/11.

- (b) A marked map clearly indicating the section of the road or highway the applicant is proposing for designation.

Please see attachment.

- (c) Photographs or videos of areas which the applicant considers to be of intrinsic value or significance.

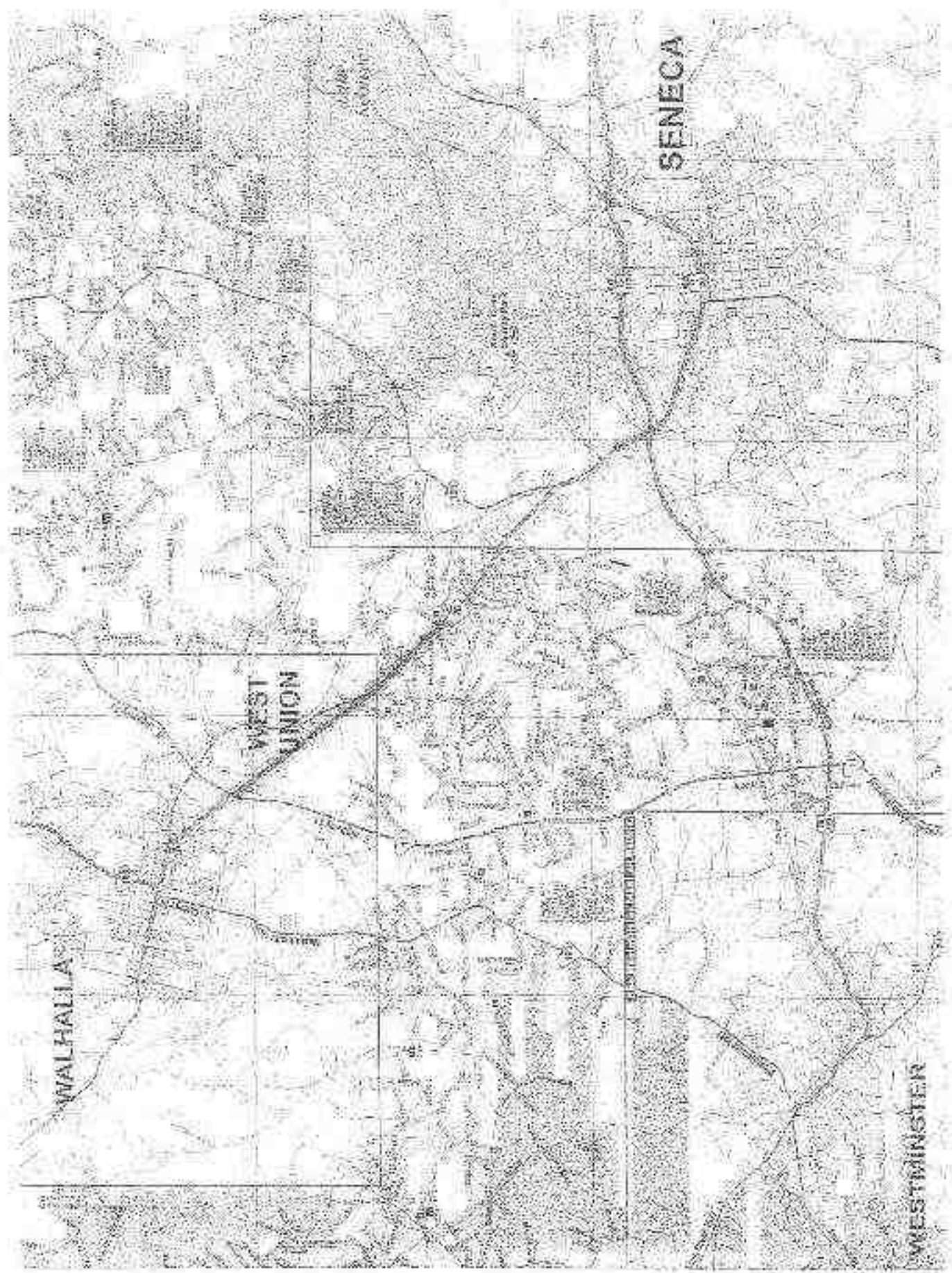
Please see attachment.

- (d) Letters of support from citizens, businesses, civic groups and other organizations.

Please see attachment.

- (e) A maintenance plan outlining litter collection responsibilities.

The membership of Concerned Citizens for Conservation will schedule litter pick-up for three times each year. We will coordinate these activities with South Carolina Department of Transportation and the two civic groups currently involved in litter control for this stretch of highway.



WALHALLA

WEST
UNION

SENECA

WESTMINSTER

City of Walhalla

96 North Church Street
Post Office Box 1089
Walhalla, South Carolina 29691

(864) 638-1545

Fax (864) 638-2187

November 13, 2007

Scenic Highways Committee
955 Park Street
PO Box 191
Columbia, SC 29202

Dear Committee Members:

The City of Walhalla supports the effort of the Concerned Citizens for Conservation to create a Scenic Highway in Oconee County between Seneca and Walhalla on SC Hwy 28 from Half-Way Branch to Hwy 28/11 Interchange.

The City of Walhalla wants to continue promoting tourism by showcasing the Stumphouse Tunnel and Issaquena Falls Park located 6.9 miles west of Walhalla on SC Hwy 28. The park continues to be one of the most visited historical sites in South Carolina and attracts more than 60,000 visitors a year.

Thank you for your efforts.

Sincerely,



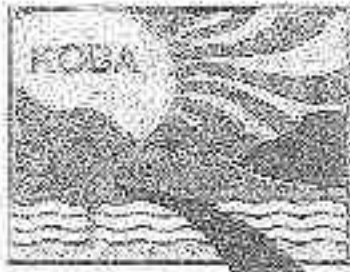
Nancy Goehls
City Administrator



Walhalla

1889

SC
GARDEN OF THE GOONS



Keep Oconee Beautiful Association

P.O. Box 1491
Seneca, SC 29678-1491
804-632-6353

November 20, 2007

Scenic Highways Committee
955 Park Street
P. O. Box 191
Columbia, SC 29201

Dear Committee Members,

The purpose of this communication is to provide support from Keep Oconee Beautiful Association (KOBA) for the request to designate a portion of S.C. 28 as a Scenic Highway.

KOBA's mission is to restore and maintain the beauty of Oconee County through Education, Awareness, Cooperation and Action. KOBA has been assisting in the beautification of Oconee County for over twenty years and is an affiliate in good standing of Keep America Beautiful. KOBA administers the county Adopt-A-Highway program, conducts anti-litter and recycling programs in Oconee County schools, holds an annual Earth Day and Great American Cleanup plus other opportunities promoting beautification.

S.C. 28 also known as Blue Ridge Boulevard is juxtaposed with Hwy 11, another designated Scenic Highway. Approving this request will help preserve the existing beauty of the section of highway between Bouryland and Walhalla, the gateway to the Blue Ridge Mountains.

Thank you for your consideration.

Fred Bailine, Chairperson
Keep Oconee Beautiful Association

Cc: Oconee County Council



School District of Oconee County

414 South Pine Street - Walhalla, South Carolina 29681
(864) 885-4400
www.oconee.k12.sc.us
"Education is Everybody's Business"



November 14, 2007

SC Scenic Highway Committee
955 Park Street, Street
P. O. Box 191
Columbia, South Carolina 29202

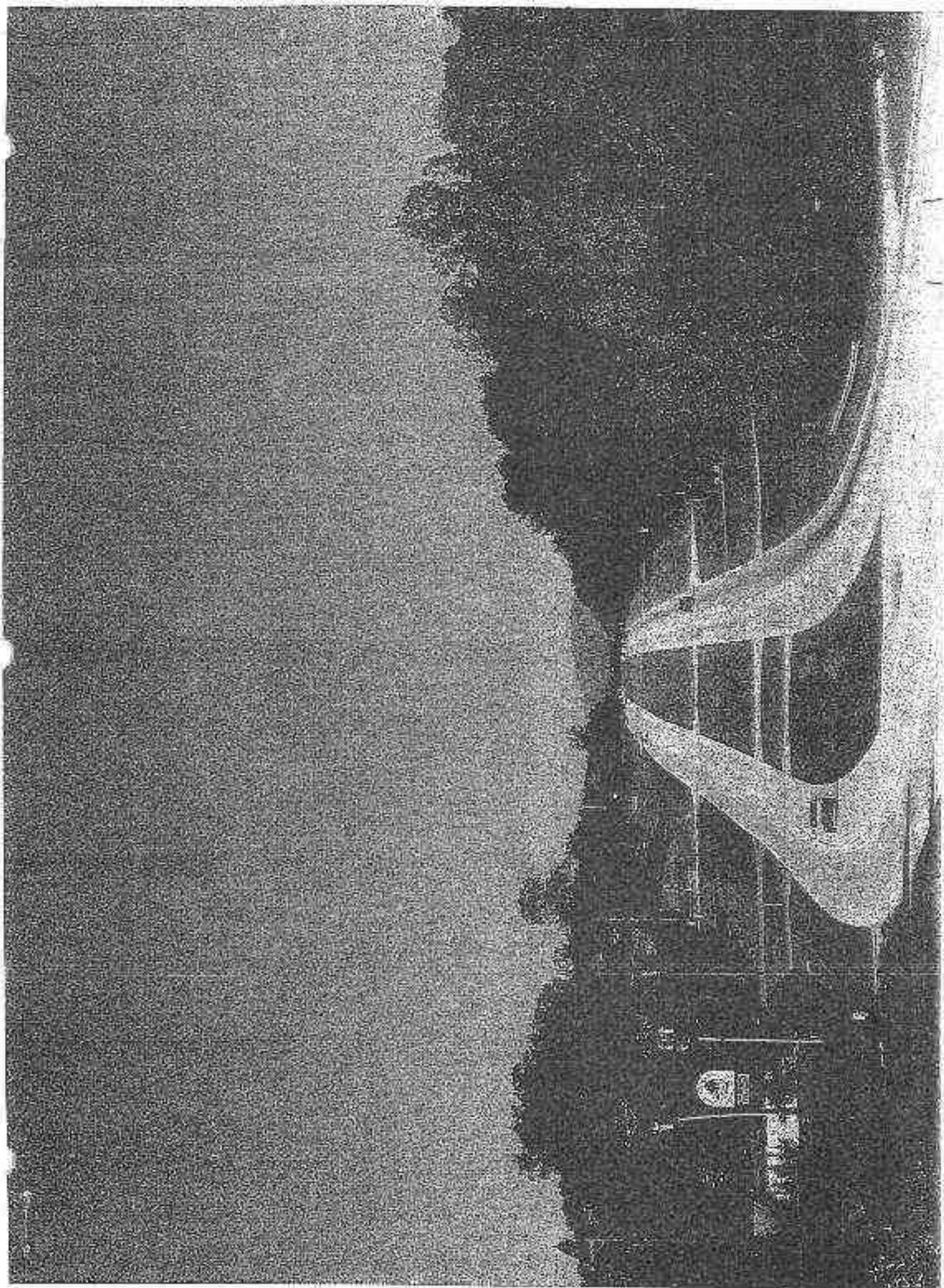
Dear Sir/Madame:

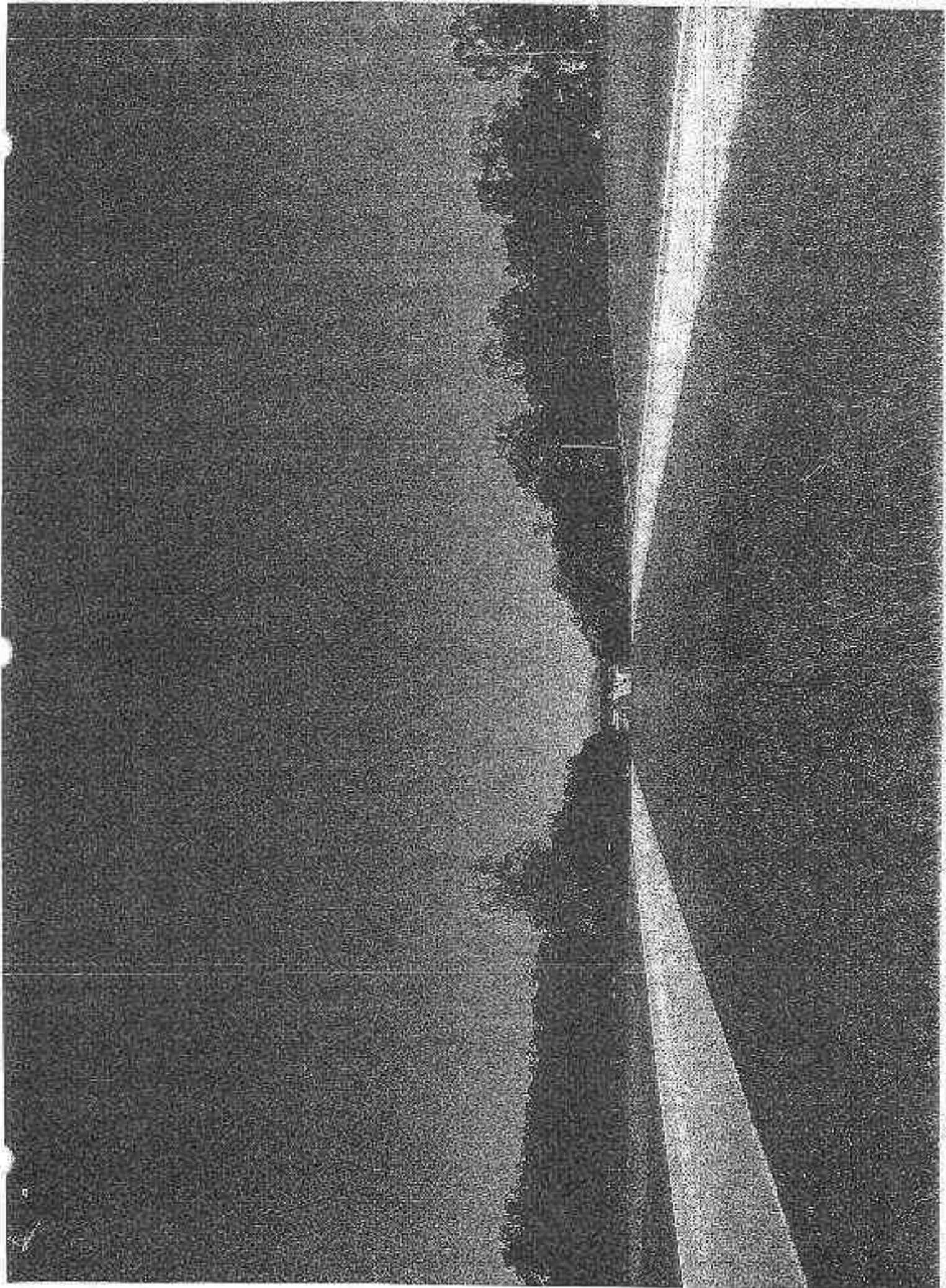
At their regularly scheduled meeting on November 13, 2007, the Board of Trustees for the School District of Oconee County voted 5-0 to support the designation of an additional scenic highway route in Oconee County. The School Board of Trustees supports the establishment of scenic highway designation for SC Highway 28 from Half-Way Branch to the Highway 28/11 interchange.

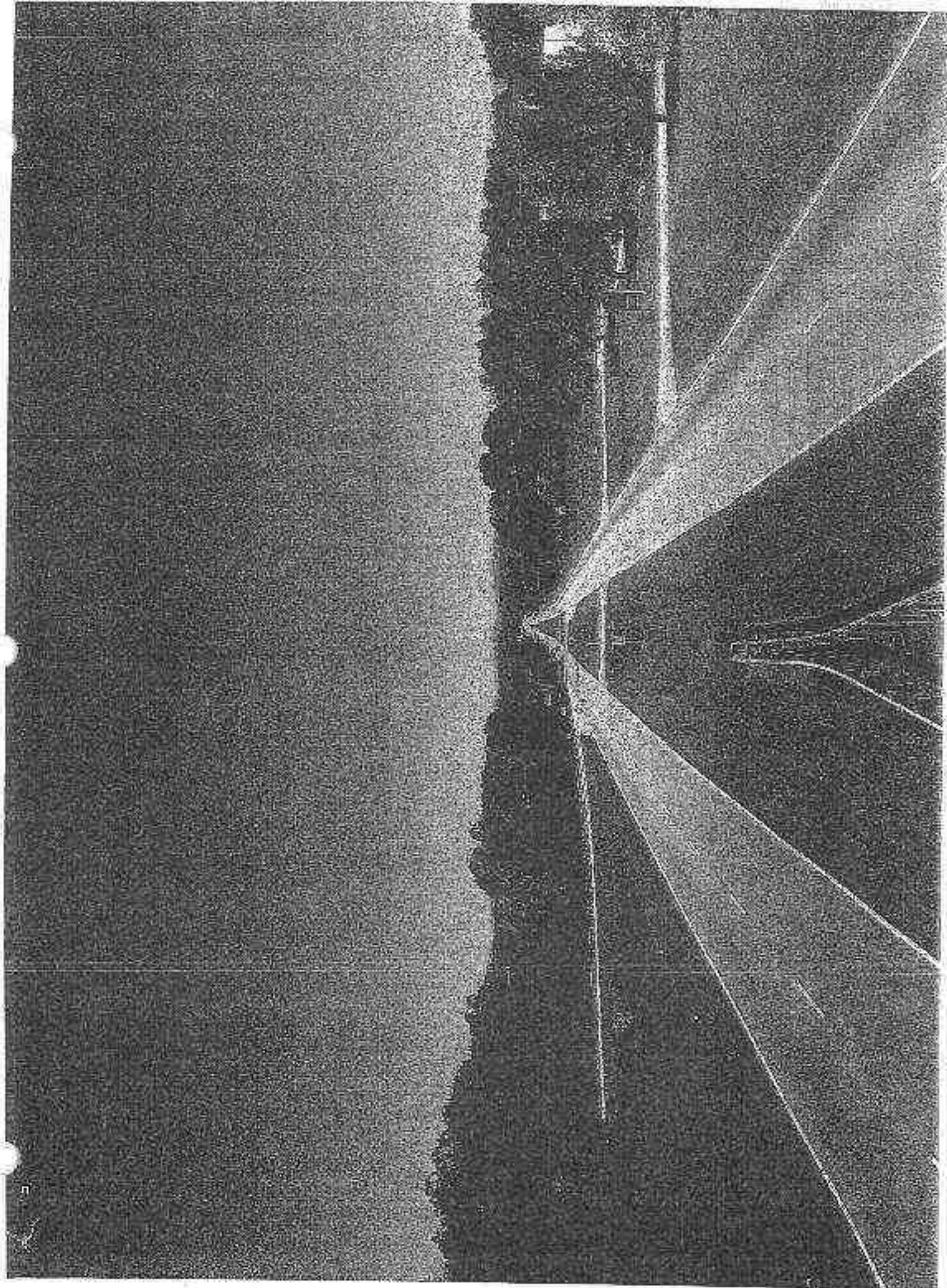
The School Board asks for your consideration of this request, and the Board believes such a designation will assist in maintaining the beauty of our community.

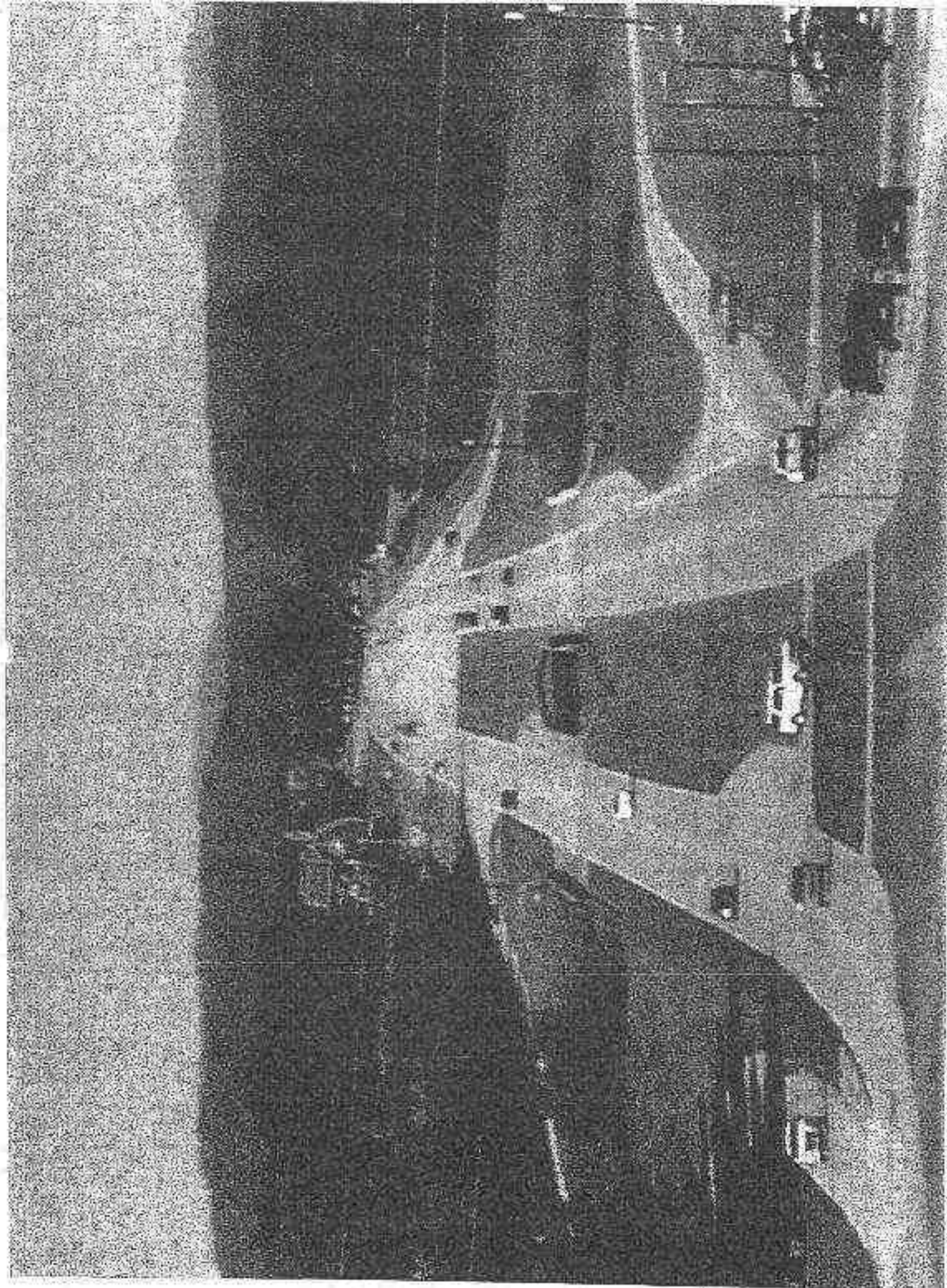
Sincerely,

Michael Lucas, Ed.D.
District Superintendent









AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 12/16/08
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Oconee County Emergency Services respectfully requests permission to apply for the Operation Ranger Grant.

BACKGROUND OR HISTORY:

The US Smokeless Tobacco Company's Operation Ranger program awards rugged, off-road utility vehicles to our nation's emergency responders. To date, more than 400 vehicles have been awarded across all 50 states. The Operation Ranger program exists both to recognize the service of our nation's emergency responders and to provide a versatile, practical vehicle that will enhance emergency response capability at the community level.

SPECIAL CONSIDERATIONS OR CONCERNS:

Oconee County Emergency Services will be responsible for all future maintenance on the utility vehicle.

STAFF RECOMMENDATION:

Apply for the Operation Ranger Grant.

FINANCIAL IMPACT:

No local match.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: N/A

If yes, who is matching and how much: N/A

ATTACHMENTS

Submitted or Prepared By:

Veronda Holcombe-Lewis

Department Head/Elected Official

Approved for Submittal to Council:



Dale Surratt, County Administrator

Reviewed By/ Initials:

_____ County Attorney

LVP Finance

_____ Grants

C: Clerk to Council

Agenda Items Summary to be submitted to Administrator for review // approval no later than close of business on Wednesday prior to a Council meeting.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: December 16, 2008

COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Fuel for Department 103: Coroner

BACKGROUND OR HISTORY:

As requested by County Administrator, Mr. Dale Surratt

This department was under the impression 3,850 had been allocated for this fiscal year based on budget worksheet provided by finance at the beginning of the fiscal year. I have been informed this amount was cut by 2,650 at some point.

SPECIAL CONSIDERATIONS OR CONCERNS:

Contingency funds or transfer of funds for fuel in the amount of 1,600 for balance of year

Line item: 010-721-81103

This should suffice if fuel costs remain at present level.

STAFF RECOMMENDATION:

FINANCIAL IMPACT:

ATTACHMENTS


Submitted or Prepared By:

December 11, 2008

Karl E. Addis, Coroner

Department Head/Elected Official

Approved for Submittal to Council:


Dale Surratt, County Administrator

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

C: Clerk to Council

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: December 16, 2008
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Oconee County Assessor's Office respectfully requests permission to apply for a Pictometry 9-1-1 Grant from Pictometry International Corp.

BACKGROUND OR HISTORY:

Oconee County is currently contracting with Pictometry International to provide high resolution oblique aerial photography for use in the development of a road layer for the county Geographic Information System (GIS) which will contain information such as road composition, direction of travel, condition and type of road. Obviously this technology can also benefit other county departments such as public safety, planning, and economic development. However, additional users would require additional licenses. This grant, which is only available to county and state agencies, will make additional licenses available, permitting other county departments to benefit from this technology. This grant provides a \$750 per seat discount on the software, or up to \$5,000 per location.

SPECIAL CONSIDERATIONS OR CONCERNS:

The Pictometry software will be for County internal use only.

STAFF RECOMMENDATION:

Apply for the Pictometry International Grant.

FINANCIAL IMPACT:

Pictometry International Grant \$5,000
No local match required.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:


Are Matching Funds Available: N/A
If yes, who is matching and how much: N/A

ATTACHMENTS

Submitted or Prepared By:


Department Head/Elected Official

Approved for Submittal to Council:


Dale Surratt, County Administrator

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

_____ Grants

C: Clerk to Council

Agenda Items Summary to be submitted to Administrator for review / approval no later than close of business on Wednesday prior to a Council meeting.

oconee county

IT Assessment Findings & Recommendations

December 16, 2008





Presentation Goals

- Review of assessment process
- Findings and recommendations
- Roadmap and budget

Process Review

- Interviewed selected employees & department heads (31)
- Performed onsite/offsite audit and analysis (8 VC3)
- Identified areas of concern and improvement
- Phased technical roadmap/recommendations
- LEC to be completed





Assessment Outline

- Workstations
- Network Infrastructure
- Servers
- Email & Calendaring
- Backup Strategy
- Telephony
- Website
- Document Imaging
- General Recommendations
- Phased Priorities





Workstation Recommendations

- Upgrade 61 (of existing 254) workstations to meet recommended standards
- Replace 31 EOL workstations
- Standardization of Desktop Vendor
- 3, 4 or 5 year Lifecycle Replacement Schedule
- Utilize network printers/copiers
 - Multifunction Business machines (print/copy/fax/scan) save an average of 3-18 cents per page!



Network Recommendations

Create a centralized, managed network model

- Leverage State's network implementation for centralized model
- Remove EOL switches
- Add redundancy to all layers of the network
- Consolidate older Airport equipment into 1 wireless router
- Consolidate Roads, Solid Waste, and Vehicle Maintenance into 1 "site"
 - Reduces cost of multiple Internet connections



Server Recommendations

- Maximize current server hardware
- Correct server configuration structure
 - Scalable, flexible
 - Cut down on number of individual servers
 - Leverage server virtualization
 - Reduces use of power and space
 - Reduces maintenance
- Bring all sites into county network
 - Centralize
 - Organize
 - Automate
 - Manage



Email & Calendaring Recommendations

- Integrate Email and Calendaring into the overall assessment recommendation
- Continue to utilize IronPort spam and antivirus defense strategy



Backup Recommendations

Implement a more efficient backup solution

- Replace old backup equipment with modern technology
- Upgrade drives
- Get full daily backups



Telephony Findings/Recommendations

Findings

- All Department Heads express need for improvement!!
- Redundant costs in Centrex fees
- Disparate systems deployments difficult to manage
- No in house expertise
- Loss of investment from purchase of unused phone system

Recommendations

- Phased rollout of un-deployed system
- Remove End-of-Life Telephony system at County Court House
- New voicemail at Pine Street
- Provide voicemail/unified messaging
- Continue telephony expansion to all County Government Locations



Website Recommendations

Create a new website

- With attractive overall design
 - Appeal to residents, businesses, etc.
- Improved navigation
 - Similar layout
 - Standardize scheme
- County can review and update content
 - Content Management System
- Phased deployment



Document Imaging Recommendations

All Department Heads expressed concern!

- Multiple benefits and cost savings
 - Vital records into a modern form of storage
 - Eliminates huge paper cost and storage requirements
 - Moves away from lengthy, laborious retrieval process
 - Fits in with Disaster Recovery process
- Recommend contacting Captaris/Open Text and Laserfiche for Demo's
- Screen technical specification through IT
- Phased implementation



General Recommendations

- Install back-up generator for County Admin Building!
- Demo SharePoint for Intra-departmental info sharing
- Demo “Service Request” software
- Schedule user software training (Monthly/Quarterly/New Employee)
- Develop a phased Disaster Recovery program (strategy, impact analysis, plan, implementation)
- Recommend proactive IT visits to remote offices
- Involve IT in all technology purchases
 - IT should evaluate new and potential technologies for all departments

Phased Priorities

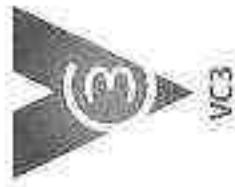
- Phase 1* - Network Infrastructure
- Phase 2* - Server Consolidation
- Phase 3* - Backup Solution
- Phase 4* - Telephony
- Phase 5* - Workstations
- Phase 6* - Website/Intranet

*All phased project costs are for budgetary purposes only.



Cost Considerations

Project Phase	Cost
Phase 1 – Network Infrastructure	\$ 54,296.87
Phase 2 – Server Consolidation	\$ 97,321.06
Phase 3 – Backup Solution	\$ 24,311.65
Phase 4 – Telephony	\$ 70,813.90
Phase 5 – Workstations	\$ 55,757.31
Phase 6 – Website/Intranet	\$ 23,840.00
Grand Total	\$ 326,340.79



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Questions?



VC3, Inc
Computer & Internet Technology Services

Phase 1

Priority	Phase 1 - Network Infrastructure	Cost
	TwinGig Converter Module for 4507 - (4)	\$ 460.20
	Singlemode Fiber SFP for SolidWaste/VehicleMaint - (8)	\$ 4,696.40
	ASA5520 for Pine Street Redundancy - (1)	\$ 4,717.05
	3750s for Auditor's Office and Room 1 - (5)	\$ 25,060.25
	ASA5505 for Vehicle Maint - (5)	\$ 587.05
	Multimode Fiber SFPs for Pine Street Access Layer - (12)	\$ 3,540.00
	881 Router for Airport - (1)	\$ 589.41
	Advanced IP Services for 881 at Airport - (1)	\$ 88.50
	ACS Express - (1)	\$ 2,947.05
	SmartNet for the above items	\$ 3,545.76
	Phase 1 Services	\$ 6,065.20
	Phase 1 Total	\$54, 296.87



Phase 2

Priority	Phase 2 - Server Consolidation	Cost
	8 GB 2 x 4 GB Memory Kits for ESX Server Upgrades - (16)	\$ 7,366.56
	450GB 15000RPM SAS DRIVES - for ESX Server Upgrades - (24)	\$ 19,097.33
	VMware Infrastructure 3.5 Enterprise Acceleration Kit - (4) servers	\$ 21,893.47
	VMware Platinum Support	\$ 6,568.30
	Phase 2 Services:	\$ 42,395.40
	Phase 2 Total	\$97,321.06



Phase 3

Priority	Phase 3 – Backup Solution	Cost
	750GB 7.2K RPM Universal SATA 3Gbps - for MD1000	\$ 7,333.17
	PowerVault TL2000, LTO4 w/ 2 Drives	\$12,163.64
	Misc Cables	\$ 444.44
	Phase 3 Services	\$ 4,370.40
	Phase 3 Total	\$24,311.65



Phase 4

Priority	Phase 4 – Telephony	Cost
	Telephony Licensing – Phase 1	\$ 5,831.50
	Telephony Hardware – Phase 1	\$ 1,470.00
	Telephony Phase 1 Services	\$ 9,900.00
	IP Phones – Phase 2	\$ 34,262.50
	Voice Router – Phase 2	\$ 11,409.90
	Telephony Phase 2 Services	\$ 7,920.00
	Phase 4 Total	\$ 70,813.90



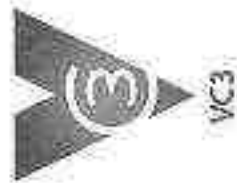
Phase 5

Priority	Phase 5 – Workstations	Cost
	OptiPlex 960 Desktop – (31)	\$ 37,738.71
	Current Dell Workstation Memory Upgrades	\$ 2,400.00
	Phase 4 Services	\$ 15,618.60
	Phase 5 Total	\$55,757.31



Phase 6

Priority	Phase 6 – Website & Intranet	Cost
	Website Redesign – Phase 1	\$15,000.00
	SharePoint (Intranet) Assessment	\$ 8840.00
	Phase 6 Total	\$23,840.00





Workstation Recommended Standards

Minimum Requirements

Processor

Minimum - Pentium 4

Recommended - Pentium Core 2 Duo +

Memory

Minimum - 1 GB of Random Access Memory

Recommended - 1+ GB Random Access Memory

Operating Systems

Minimum - Windows XP Professional

Productivity Software

Minimum - Microsoft Office Professional 2003

Recommended - Microsoft Office 2007

Standardization

Recommended - Images based on Identified Standards

Recommended - Manufacturer Standardization



Server Recommended Standards

Minimum Requirements

Processor

Minimum - Xeon - 2.4 GHz Processor
Recommended - Dual Xeon Based Processor

Memory

Minimum - 2 GB of Random Access Memory
Recommended - 3+ GB Random Access Memory

Operating Systems

Minimum - Windows 2003 Server

Disks

Minimum - Hardware Based RAID* configuration for Data
Recommended - RAID* 1 Mirroring of Operating System
RAID* 5 configuration for Data Volumes

*RAID - Redundant Array of Independent Disks

OCONEE COUNTY SOLID WASTE

Mailing Address:
P.O. Box 1766
Seneca, SC 29679-1766



15028 Wells Highway
Seneca, S.C. 29678

Phone: (864) 888-1441
Fax: (864) 888-1444

PUBLIC SERVICE ANNOUNCEMENT

In Observance of the Christmas Holiday

ALL Solid Waste Facilities will be closed:

Wednesday, December 24 & Thursday, December 25, 2008

All Solid Waste Facilities will resume regular operations:

Friday, December 26, 2008

DATE: 12/10/08

CC: COUNCIL CLERK
WGOG
DAILY JOURNAL



December 1, 2009

Ref: FCC required notice of potential channel changes

Dear Sir or Madam:

I am sending you the notice below simply to inform you of the possibility of a potential loss of Broadcast stations currently on our system. As you can see, this notice is per Federal Communications (FCC) Rules.

FCC Required Notice of Possible Change of Channel Line-Up. - Per federal regulations, Northland's right to carry certain broadcast stations expires on December 31, 2008. As a result, Northland may be required to cease carriage of certain broadcast stations after December 31, 2008. Northland is negotiating with broadcast stations in an effort to ensure uninterrupted viewing.

We are working diligently with the broadcasters to come to an agreement for continued carriage and we will keep you informed.

Sincerely,

H. Lee Johnson
Divisional Vice President
Northland Communications

CC - Info only

Routine part of negotiations between
Cable comp. & the stations.



Providing Quality Services To Local Governments Since 1965.

Dec 1, 2008

Mr. Michael Jann
Interim IT Director
Oconee County IT
415 South Pine Street
Walhalla, SC 29691

Dear Mr. Jann,

We are pleased and excited to be able to provide the requested GIS technical services requested by Oconee County. Enclosed with this letter is the proposed 2008 - 2009 contract for these technical services to be provided by the Appalachian Council of Governments. The services include GIS database and system technical support, and training to Oconee County staff for these tasks.

Please review the document at your earliest convenience to make sure that all of your concerns and requirements have been addressed. If this document meets your needs, please sign both enclosed copies and return one to me for our files.

We are looking forward to working together to provide your organization with GIS technical support and training over the upcoming year. Please feel free to contact me with any concerns or questions (864-242-9733 or anderson@scacog.org).

Sincerely,

A handwritten signature in cursive script that reads "Carol Andersen".

Carol Andersen
ACOG Information Services, Director

cc: Amy Wright Webber

encl. (2)

PO Box 6668 . Greenville, SC 29606

864.242.9733 . Fax 864.242.6957 . www.scacog.org

CONTRACT FOR SERVICES Project Name: Oconee County GIS Support 2008/2009

CLIENT

Oconee County
Information Technology
415 South Pine Street
Walhalla, SC 29691

Contact: Mike Jann, Interim IT Director
Phone: ~~864-268-2887~~ FAX: 864-882-2958
Email: Mike.jann@ocog.com

Phone 863-733-0333

CONTRACTOR

S.C. Appalachian Council of Governments
Information Services
PO Box 8688 (30 Century Circle)
Greenville, SC 29605

Contact: Amy Wright Webber, Information Services
Phone: 864-242-9793 FAX: 864-242-8957
Email: webber@scacog.org

10A
12/5/08

CONTRACTED SERVICES

SCOPE OF SERVICES PROVIDED BY ACOG

GIS technical support and training on an hourly basis as needed and requested by Oconee County.

TIME OF PERFORMANCE

December 1, 2008 through December 1, 2009

FEE SCHEDULE AND METHOD OF PAYMENT

Oconee County agrees to pay the ACOG at the standard non-profit hourly rate of \$60 per hour as well as mileage expenses when on-site work is needed. ACOG will supply a monthly statement of services. Invoices for service and training hours used will be sent on a quarterly basis. Payment is due within 30 days of receipt of invoice.

TERMINATION OF CONTRACT

Both parties agree that this Contract shall be terminable by either party upon written notice to the Chief Executive Officer of either party. In the event of such termination, all finished or unfinished documents prepared by ACOG under this contract shall be returned to Oconee County, and ACOG shall be entitled to receive just and equitable compensation for any work satisfactorily completed.

ATTEST:

OCONEE COUNTY

Signature

Date

**S.C. APPALACHIAN COUNCIL
OF GOVERNMENTS**

Amy Wright Webber

Signature

12/4/08

Date

Project Name: Oconee County GIS Support 2008/2009
CONTRACT FOR SERVICES - ADDENDUM

The following table outlines hourly GIS support/training estimates by month with an estimated total cost of \$12,000 based on current discussions with Oconee County staff as of December 1, 2008.

Please note that only hours used will be charged. The number of technical service hours may be adjusted up or down to meet the needs of Oconee County.

Monthly hourly support estimates are set to decline with the expectation that Oconee County staff will be trained to support the GIS system with ongoing support from the ACOG to trouble shoot or assist on special projects when needed.

Project	Hours	Projected Cost
GIS Technical Support – Dec 08	30	\$1500
GIS transfer SDE to SQL Server To be Scheduled – Includes installation of SQL Server, SDE, Data transfer, and set up of initial permissions.	25	\$1500
GIS Technical Support – Jan 09	20	\$1200
GIS Technical Support – Feb 09	20	\$1200
GIS Technical Support – Mar 09	15	\$900
GIS Technical Support – April 09	15	\$900
GIS Technical Support – May 09	10	\$600
GIS Technical Support – June 09	10	\$600
GIS Technical Support – July 09	10	\$600
GIS Technical Support – Sept 09	10	\$600
GIS Technical Support – Oct 09	10	\$600
GIS Technical Support – Nov 09	10	\$600

** Estimate of 15 on-site visits at total mileage cost of \$877.50.

Mileage Estimate per on-site trip: \$58.50. This total was calculated based on 100 miles round trip and the current IHS mileage rate of \$0.585 per mile.

FAX TRANSMITTAL



SC Appalachian Council of Governments
30 Century Circle, P.O. Drawer 6668
Greenville, SC 29606

Phone: (864) 242-9733
Fax: (864) 242-6957
Website: scacog.org

Date: 12/5/2008 Time: 1:10
 To: Mike Jarrin
 Company: VO3
 Fax Number: 803 733 5828
 From: Amy Whitst Whitel
 Total Pages: 34 (including cover sheet)
 Subject: Cherokee County GIS Support - T.M.
 Message:

Mike,
 The originals are in the mail
 to you (or should be this afternoon)

Thanks!



Upstate Homeless
COALITION

Helping Homeless People Find Home Again

Dec. 10, 2008

Dear community leader:

Attached please find information about an upcoming mortgage foreclosure clinic which the Upstate Homeless Coalition is co-sponsoring with the SC Task Force on Foreclosure:

We are seeking to reach residents of Pickens, Oconee and Anderson counties who are late in their mortgage payments and who like assistance in resolving their mortgage arrears.

We hope you will circulate it among others in the community who might have an interest in attending. Additional copies can be obtained at our website, www.upstatehomeless.com

Sincerely yours,

Tom King
Certified Housing Counselor
tking@upstatehomeless.com
(864) 230-0720

P.S. Clinics at Clemson Community Care will be offered on the first Tuesday of the month.



Mortgage Default and
Foreclosure
Counseling Program

**Are you behind on your Mortgage Payments?
Are you facing foreclosure?**

Mortgage Default and Foreclosure Clinic

TUESDAY, JANUARY 6, 2009

6:00 PM

CLEMSON COMMUNITY CARE

105 ANDERSON HIGHWAY

(Located on US-76, 2 mile east of Jet of US 123 and US 76)

Clemson, South Carolina

Provided by SC Foreclosure Task Force

In cooperation with the Upstate Homeless Coalition of South Carolina

Clinics are free-of-charge. Registration is required to attend.

To register call **1-888-320-0350**, or **1-800-254-8561**

Seek Mortgage Foreclosure Counseling Now.

Don't Delay! Act Today!



A HUD-Approved
Counseling Agency



Upstate Homeless
COALITION



Mortgage Default Clinic Travel directions:

Clemson Community Care
105 Anderson Hwy (US-76)
Clemson, SC 29631

(864) 653-4460 www.clemsoncommunitycare.org

For additional information about the Pickens/Oconee/Anderson Mortgage Default Clinic at Clemson Community Care, please call 1-888-320-0350 or the Upstate Homeless Coalition of South Carolina 1-800-254-8561

From Greenville, Easley and points east and north in Pickens County :

Take **US-123 south** towards Clemson. US-123 is called Tiger Blvd in Clemson. Where US-123 and US-76 merge in Clemson, make a left turn onto US-76 east. (ACE Hardware store will be on your right.) US-76 is called Anderson Highway at this point. Go .2 (two-tenths) mile. Clemson Community Care will be on your left.

From Seneca and other points west in Oconee County:

Take **US-123 north /US-76 east** towards Clemson. In Clemson this road is called Tiger Blvd. Continue to follow US-123/US-76 until the two roads separate and US-76 turns right. (ACE Hardware store will be on your left). US-76 is called Anderson Highway at this point. Go .2 (two-tenths) mile. Clemson Community Care will be on your left.

From Anderson and points south and east:

Take **US-76 west**. Continue to follow US-76, which is also called Anderson Highway into Clemson. After passing under an overpass (Rt. 93) and a small shopping center, Clemson Community Care will be on the right. (If you come to a traffic light with ACE Hardware and the junction with US-123, you've gone too far.)

Clemson Community Care is a red brick building with a white sign prominently displayed out front. There is parking on the side and rear of the building.

12-04-2008

cc. Dale
Cemal

Norton & Ballenger, P.A.
ATTORNEYS AT LAW

POST OFFICE BOX 489
39 NORTH STREE
WATHALLA, SC 29637

TELEPHONE (864) 638-3937
FACSIMILE (864) 638-3932

BRADLEY A. NORTON

KAREN F. BALLENGER

December 15, 2008

Elliott Davis, LLC
340 Main Street
P.O. Box 429
Greenwood, SC 29648

Re: Confirmation and Disclosure of legal matters pertaining
to Oconee County Audit for fiscal year ending June 30, 2008.

Gentlemen:

Pursuant to the request of Dale Surratt, Administrator of Oconee County, dated November 26, 2008, we have been requested on behalf of Oconee County, South Carolina, to provide you information from our files, which might affect the results of your audit of its financial affairs. The information furnished here is from our files on the subject, and we have not conducted an examination of the public records.

Pending or Threatened Litigation (excluding unasserted claims and assessments)

As of the date of this response, we are not involved in either the prosecution or defense of any litigation on behalf of Oconee County, nor have we been made aware of any pending or threatened litigation in which it might become involved, except for the following:

1. **Mary Campbell, as Personal Representative of the Estate of Bobby Ray Burdette vs. Oconee County, et al.**, Case No. 8:99-2286-24. This is an action filed against Oconee County, the Oconee County Sheriff Department and several Deputy Sheriffs arising from a shooting incident which resulted in a death. The action includes claims for alleged violations of federal, constitutional and civil rights, as well as state law claims. The defense of this case has been assigned by the South Carolina Insurance Reserve Fund to Charles F. Turner, Jr. of the Law Firm of Clarkson, Fortson, Walsb & Rheney, P.O. Box 6186, Greenville, SC 29606; (864) 235-

4399. This case is in the early stages, and no estimate of loss can be made at this time. Additional information can be obtained, if necessary, from Mr. Turner.

2. **Randall Collins and Ann Shelley Collins v. Oconee County, Barbara Griffin and Joann Knox, Case No: 2004-CP-37-355.** This is a lawsuit over a property line dispute. In 1977, Oconee County abandoned Petty Road. There is a question of who should own the road at this time. Oconee County has answered the Complaint stating that it will be happy to execute any documents necessary to effectuate ownership in the prevailing party as determined by the Court. There is no potential loss to Oconee County in this case. The case has been tried and has been affirmed by the Court of Appeals. The case was appealed to the S.C. Supreme Court.

3. **Dennis Crowe v. James Singleton, Major Steve Pruitt and Ronita Rowland, Case No: 04-1822-18-BD.** This is a pro se Complaint filed by Dennis Crowe alleging that he was injured by employees at the Oconee County Law Enforcement Center when he was in jail awaiting trial on a murder charge. Mr. Crowe allegedly got in a fight with another inmate and was allegedly injured when a female law enforcement officer, Ronita Rowland, attempted to break up the fight. The case has been referred by the Insurance Reserve Fund to Steven M. Pruitt with McDonald, Patrick, Baggett, Poston and Hemphill, P.O. Box 1547, Greenwood, SC 29648. No estimate of loss can be made at this time. Additional information, if necessary, may be obtained from Mr. Pruitt.

4. **Jessie Edmonds vs. Sallie Smith, et al., Case No: 03-CP-40-6167.** This is a pro se lawsuit filed by an incarcerated inmate who claims that the Clerk of Court for Oconee County, SC, Sallie Smith, and others conspired to have him convicted. The case has no merit. No estimate of loss can be made at this time.

5. **United States of America v. Oconee County and Oconee County v. F.J. Clark and M.B. Kahn.** This is threatened litigation and pending litigation that involves the Oconee County Courthouse. The Courthouse has numerous problems with the Americans with Disabilities Act. The County has met with the US DOJ and we hope to have an agreement on repairs in the near future. The expected cost of the repairs is expected to be approximately two million dollars. The County hopes to recover these costs and other costs in our suit against Clark and Kahn. This case is pending in State Court in Greenville County.

6. **Medical Bills of County Inmates.** There have been discussions concerning the responsibility of Oconee County for medical expenses incurred by inmates while incarcerated at the County Detention Center. No estimate of loss can be made by the undersigned. However, additional information may be obtained from management, to include the County Purchasing Agent and Director of the County Detention Center.

7. **Homebuilders Association of Oconee County and Thomas Markovich v. County of Oconee, Case Number 2006-CP-37-535.** This case involve a County Ordinance passed by Oconee County in 2006 that requires a twenty-five foot (25') buffer zone for all new building permits issued on Lakes Keowee, Hartwell and Jocassee and which requires all developers of subdivisions that are located on County roads to upgrade the road to County

specifications if the potential number of people living in the subdivision would have an adverse impact on traffic along the County road.

The Homebuilders Assn. suit contests the validity of the County Ordinance. The Homebuilders are arguing that the Ordinance results in an impact fee and that the County cannot pass such an Ordinance. It is anticipated that this case will be settled with no financial impact to the County.

8. **Cornelius, et al vs. Oconee County, City of Seneca, and City of Westminster, Case Number 2007-CP-37-995.** This is a declaratory judgment action filed by Susie Cornelius, Minnie Owens, and Rebecca Ballenger contesting the manner in which Oconee County finances infrastructure, among other things. The County intends to fund sewer and water infrastructure in Oconee County. The Plaintiffs are contesting the creation of the Oconee Joint Regional Sewer Authority created by the cities of Walhalla, Seneca, and Westminster. In addition, the Plaintiffs are contesting the billing practices of the City of Seneca and the City of Westminster with regards to water and electrical. Almost all the issues raised by the Plaintiffs have been resolved by prior case law in favor of the government entity. The County expects no financial loss as a result of this litigation.

9. **Pamela Nalley vs. Oconee County, Case Number 2007-CP-37-492.** This matter was filed by a woman who reported the existence of a puppy mill to Dan Gerrard, who at the time, was a County animal control officer. According to the Plaintiff, Mr. Gerrard acted on the information she gave him, but was unable to make a case. Mr. Gerrard obtained an arrest warrant for giving false information to an animal control officer against the informant, Ms. Nalley. Shortly thereafter, Mr. Gerrard was terminated by Oconee County for reasons not related to this incident. However, the arrest warrant remained outstanding. Ms. Nalley was eventually stopped for a traffic violation in Pickens County and arrested pursuant to the warrant. She spent a night in jail as a result of the arrest warrant.

Oconee County is being sued due to the actions of Dan Gerrard and the fact that the arrest warrant was not withdrawn. This matter was referred to the insurance reserve fund for defense. No estimate of loss can be made at this time.

10. **Robert B. Bearden v. Oconee County, Case Number 2008-CP-37-98.** This is a pro se Complaint filed by Robert Bearden claiming that the Solicitor's Office incarcerated him longer than necessary. This matter was sent to the Insurance Reserve Fund for defense. Rusty Harter of the firm of Chapman, Harter, and Groves is representing the County. Please contact Mr. Harter for any additional information at 1012 East Washington Street, P.O. Box 10224, FS, Greenville, SC 29603.

11. **Travis N. Buck vs. Charles I. Blaine, et al, Case Number 2008-CP-37-273.** This is a lawsuit filed by Travis Buck against Charles Blaine, a federal forestry officer, James Singleton, Deputy Phillip Bryant, Deputy Brandon Poole and others claiming that he was wrongfully arrested by Charles Blaine acting on behalf of the Oconee County Sheriff Department. Deputy Phillip Bryant transported Mr. Buck to the Oconee County Detention Center at the request of Officer Blaine. The Complaint alleges claims for assault, battery, false

imprisonment, malicious prosecution, civil conspiracy, and violation of civil rights under 42 USC, Section 1983. This case has been assigned by the Insurance Reserve Fund to Victor McDade with Doyle, O'Rourke, Tate and McDade for defense. Additional information concerning this case can be obtained from Victor McDade at P.O. Box 2125, Anderson, SC 29622. No estimate of loss can be made at this time.

12. **Bennett, Jason Michael vs. City of Walhalla, SLED, and Sheriff James Singleton, Case Number 2008-CP-37-797.** This action was filed by Jason Bennett claiming false imprisonment, assault, battery, and malicious prosecution. The case has been referred to the Insurance Reserve Fund for defense. It is expected that Victor McDade of the firm of Doyle, O'Rourke, McDade and Tate will provide the defense for Sheriff James Singleton in this matter. No estimate of loss can be made at this time.

13. **Chastie, Melissa and Scott v. CNC Traditions, Inc. et al., Case Number 2007-CP-37-1015.** This is a lawsuit concerning a contract dispute between the purchase of a home and the initial contractor and others. The County was sued because it refused to give a certificate of occupancy without a certificate of insulation as required by the Building Code. A Counterclaim by the contractor has been filed. No loss is expected on behalf of Oconee County. Oconee County will provide a certificate of occupancy if required by the Court.

14. **Jeffery Clark v. Oconee County Detention Center.** This is threatened litigation as a result of an inmate at the Oconee County Detention Center hanging himself. Information that has been provided by the Detention Center to the Plaintiff's attorney and to date, no suit has been filed. No estimate of loss can be made at this time.

15. **Stefan Jerrod Lee v. Steve Pruitt, James Singleton, Oconee County, 8:08-1626-RBH-BHL.** This is a pro se Complaint filed in Federal Court filed by Stefan Jerrod Lee claiming that he was beaten on February 20, 2008 by two cellmates after he was arrested and incarcerated. The case was referred to the Insurance Reserve Fund and the defense is being provided by Victor McDade of Doyle, O'Rourke, Tate and McDade. Defendants recently filed a motion for summary judgement that is currently pending. Further information concerning this case may be obtained from Mr. McDade at P.O. Box 2125, Anderson, SC 29622.

16. **Oconee County v. Charles Finley, Case Number 2008-CP-37-1214.** This is an action filed by Oconee County to determine the ownership in the Lunney Museum located in Seneca, South Carolina. The County intends to discontinue its use of the Lunney Museum as a museum and the property is to revert to certain heirs under the deed. The purpose of the lawsuit is to determine the interest of any persons who may have a claim to the property. No financial loss is expected from this litigation.

17. **William Powell vs. William Leslie, et al., Case Number .** This is a wrongful death action brought by the personal representative of Chrissa Powell. On May 29, 2007, Chrissa Powell was playing on a dock owned by Defendants Erwin Elliott and Jean Elliott on Lake Hartwell. Chrissa fell off the dock and drowned. The allegations against Oconee County, Oconee County Sheriff's Department, and the Oconee County Emergency Communications Department are that the County's 911 Dispatch did not work properly and that

if properly dispatched, the child would not have died. The case has been referred to Victor McDade of Doyle, O'Rourke, Tate and McDade for defense. No estimate of loss can be made at this time. Additional information for this case can be obtained from Victor McDade at P.O. Box 2125, Anderson, SC 29622.

18. **Dan Qualls vs. South Carolina Department of Natural Resources, Case Number.** This is an automobile accident case whereby the Plaintiff originally filed against the South Carolina Department of Natural Resources (SCDNR). The claim may be made against Oconee County as the driver of one of the vehicles, Eric White, was employed with Oconee County at the time of the accident. The case has been referred to Victor McDade of Doyle, O'Rourke, Tate and McDade for defense. The case will be covered under the Insurance Reserve Fund. No estimate of loss can be made at this time. Additional information for this case can be obtained from Victor McDade at P.O. Box 2125, Anderson, SC 29622.

19. **Paula Reed v. Oconee County, Case Number 6:08-00265-DRA.** This case is currently pending in Federal Court. It is an action brought by Pamela Reed, the former wife of Bradley Scott Reed, who is brother of Greg Reed of the Oconee County Sheriff's Department. Ms. Reed has filed suit against Mike McGowan, Greg Reed, the Oconee County Sheriff's Office, and Oconee County along with William Luther of SLED, SLED, and Bradley Scott Reed. The Complaint alleges a variety of 1983 violations, civil conspiracy, malicious prosecution, outrage, harassment, negligence, abuse of process, false imprisonment and obstructing justice and/or intimidating a witness and any other possible cause of action they could pile into a complaint. This case is being defended on behalf of County employees by Victor McDade of Doyle, O'Rourke, Tate and McDade. No estimate of loss can be made at this time. Additional information for this case can be obtained from Victor McDade at P.O. Box 2125, Anderson, SC 29622.

20. **School District of Oconee County v. Shiloh Rural Fire Department, Oconee County, et al., Case Number 2008-CP-37-026.** This is an action to recover the title to the property conveyed to the Shiloh Community Club by the School District. The case has been referred to Judge Drew for a hearing. The County does not object to the School District recovering this property. There should be no financial loss to the County as a result of this claim.

21. **Simmons, Jeannie Delaine v. Oconee County Sheriff's Department.** Ms. Simmons was arrested on February 24, 2007 for public disorderly conduct. She has submitted a Tort Claim form to the County alleging severe injury to her right shoulder and arm as a result of alleged excessive force used during her arrest. No suit has been filed. No estimate of loss can be given at this time.

22. **Phillip Ryan Smith vs. Oconee County Detention Center.** The Court received a verified claim form which was sent to the Insurance Reserve Fund. This concerns a claim made by Phillip Ryan Smith that he was attacked by two people on May 27, 2008 while incarcerated in the County Drunk Tank. The two other people in the Drunk Tank were Justin Poole and John Anderson. Mr. Smith was taken to Oconee Memorial Hospital and released. Mr.

Smith had been arrested for disorderly conduct and open container. At this time, no claim has been filed. No estimate of loss can be made at this time.

23. **Willard Owens v. Mark Washington and Oconee County, Case Number 2006-CP-37-204.** This is a case filed against Mark Washington and Oconee County by Willard Owens claiming damages as a result of being given incorrect information concerning property that he purchased. In the Complaint, Mr. Owens alleges that he purchased the property based on information he received from Oconee County that the property he was considering buying was not in a flood plain. Flood plain maps sent to Oconee County by FEMA showed that portions of the property in question were in a flood plain. This case has been referred to Victor McDade of Doyle, O'Rourke, Tate and McDade for defense. No estimate of loss can be made at this time. Any additional information concerning this case can be obtained from Mr. McDade at P.O. Box 2125, Anderson, SC 29622.

24. **James Tinley v. Oconee County, Case Number 8:0-532-SP-BHHL.** This is a pro se Complaint filed by an inmate at the Oconee County Law Enforcement Center against the Sheriff, Detective Greg Reed, Detective David Smith, Oconee County, Phyllis Lombard, Steve Pruitt, John and Jane Doe. The Complaint alleges unlawful seizure of property, failure to provide a law library at the Law Enforcement Center and unspecified claims under 42 USC Section 1983. This case has been referred to Victor McDade of Doyle, O'Rourke, Tate and McDade for defense. No estimate of loss can be made at this time. Any additional information concerning this case can be obtained from Mr. McDade at P.O. Box 2125, Anderson, SC 29622.

25. **Allen and Janet Williams v. Oconee County, Sheriff's Department.** The County has received a claim alleging that on December 14, 2007, the Williams were falsely accused by deputies of being on-line sexual predators. Mr. Williams stated that he was threatened with arrest unless Williams allowed the deputies to seize his computer. To date, no suit has been filed. No estimate of loss can be made at this time.

26. **Joyce and Ray Wood v. Oconee County Soil and Water Conservation District of Oconee County, Coneross Creek Board Levis Smith and Kate Gillison Case Number 2006-CP-37-629.** This is an action filed by the Plaintiffs alleging that a dam constructed by the Soil and Water Conservation District of Oconee County and the Coneross Creek Watershed has overflowed and caused the damage to property owned by the Plaintiffs. This matter was sent to the Insurance Reserve Fund for defense. No estimate of loss can be made at this time.

27. **Oconee County v. William Walker, et al.** This is a potential lawsuit that may be filed by Oconee County against William Walker and others. As a resident of Florida, Mr. Walker has contacted people who have had their property sold at Oconee County Delinquent Tax Sales for the past two years and convinced them that he purchased the property at the tax sale and they needed to sign a title of deed to him. Mr. Walker pays the homeowners nothing for the property and then forged the deed when he receives it. Mr. Walker has redeemed some of the property, sold other pieces of property, and forged documents. The problem for Oconee County is that it puts a cloud on any title that Mr. Walker has dealings with. The County is considering filing a lawsuit and serving any and all persons that may have an interest in said property either as the purchaser of the property at the tax sale or as the original owners. The

purpose of this litigation would be to clear up any clouds on any titles of property sold at the tax sales that Mr. Walker has had any dealings with. Failure to do this could result in the County having liability at some date in the future if a tax sale is overturned as a result of Mr. Walker's behavior.

Unasserted claims and assessments/other matters

The County is or may become a party to certain other lawsuits, including contract litigation, road closure litigation, litigation challenging the validity of regulatory ordinances, tax sale litigation, litigation to enforce such ordinances and/or collection matters, litigation concerning the relocation of a cemetery located on county property, or other matters regarding various issues. No opinion can be rendered at this time as to the outcome of such matters or the potential loss, if any, arising therefrom.

It is my understanding that some appeals have been made challenging the County's assessment of certain real properties in the County. No opinion can be rendered by the undersigned as to the probable outcomes of these matters. Additional information may be obtained covering such matters from the County Auditor and/or the County Assessor.

The Clerk of Court for Oconee County has previously requested a review of existing procedures concerning the expenditure of federal or state funds allocated to said office for assistance in the collection of child support and/or other matters relating to the Family Court. You may wish to contact Clerk of Court Sallie C. Smith or Finance Director Phyllis Lombard for additional details.

Oconee County has entered into certain Consent Agreements and Orders with the South Carolina Department of Health and Environmental Control (SCDHEC) concerning compliance with the South Carolina Solid Waste Policy Management Act. The County has been advised of the possibility of impact upon groundwater as a result of leakage from the County Solid Waste landfills, as well as possible adverse effects of methane gas produced by the landfills. The County is currently operating under the terms of a Consent Order with SCDHEC concerning the closure of the Seneca Landfill and post-closure requirements, as well as in-stream water quality monitoring. It is my understanding that the County has been advised that it has exceeded the boundary of the construction and demolition portion of the Seneca Landfill and that SCDHEC has been advised of same, and that a Consent Order has been issued. The County has retained the services of Goldie & Associates, Engineers, to assist in some of these matters relating to the closure of the Seneca Landfill and status of the Five Forks Landfill. No opinion can be rendered at this time as to the outcome of such matters or any potential losses, if any, arising therefrom. Additional information may be obtained from management.

Oconee County has constructed a new Oconee County Courthouse. The current facility, in its present condition, may not comply with certain statutory and regulatory requirements, including the accessibility to persons with disabilities. Other County facilities may also be in non-compliance with such requirements. Management may be contacted for more information.

The County may become a party in various lawsuits to be filed by property owners wishing to have the County to abandon road. These such lawsuits would be friendly lawsuits and would not expose the County to any financial exposure.


This will confirm that, when, in the course of performing legal services for Oconee County with respect to a matter recognized to involve an unasserted possible claim or assessment that may call for financial statement disclosure, I have formed a professional conclusion that Oconee County should disclose or consider disclosure concerning such possible claim or assessment, and that I will so advise the County and will consult with management concerning the question of such disclosure and the applicable requirements of Statement of Financial Standards No. 5.

This letter does not address any other matters affecting the Oconee County Sewer Commission, as a separate audit letter has previously been issued to that entity.

I trust this information is sufficient to answer your inquiry and to permit you to complete the audit of fiscal year ending June 30, 2008, but if additional information is desired, please advise.

Very truly yours,

NORTON & BALLENGER, P.A.



Bradley A. Norton
Attorney at Law

BAN: aew

cc: Dale Surratt, Administrator
County Council Members
Ms. Phyllis Lambert



Upstate Homeless
Coalition

Helping Homeless People Build New Lives

Dec. 10, 2008

Dear community leader:

Attached please find information about an upcoming mortgage foreclosure clinic which the Upstate Homeless Coalition is co-sponsoring with the SC Task Force on Foreclosure.

We are seeking to reach residents of Pickens, Oconee and Anderson counties who are late in their mortgage payments and who like assistance in resolving their mortgage arrears.

We hope you will circulate it among others in the community who might have an interest in attending. Additional copies can be obtained at our website:
www.upstatehomeless.com

Sincerely yours,

Tom King
Certified Housing Counselor
tking@upstatehomeless.com
(864) 230-0730

P.S. Clinics at Clemson Community Care will be offered on the first Tuesday of the month.